FEDERAL BUREAU OF INVESTIGATION FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

SUBJECT: FRANK COSTELLO

FILE NUMBER: 92-2869 SECTION 1

5 7 DEC 31 1957

REITIALS ON WAIGINAL

DATE

FRANK COSTALLO, was: phe+c(: AP)
Francisco Costaglia,
Frank Castello, Murray H.

Hoffman, Francesco Saverio,
Frank Saverio, Frank Stello

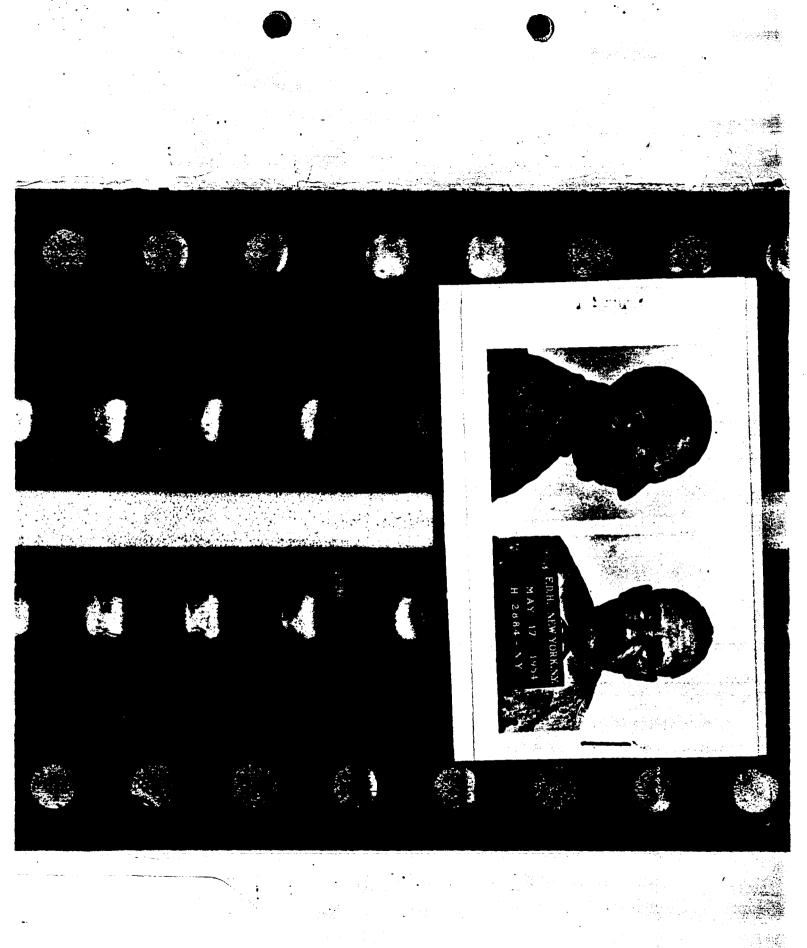
Age: 1/26/93, Calaria, Italy
Race: White, male
Residence: 115 Central Park West, NYC N.L.

Height: 5:7"
Weight: 170 lbs.
Build: Medium
Hair: Dark chestnut
Eyes: Dark brown
Complexion: Medium

92-2869-1

1-6986-46

Frank Certelle







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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

Section 5	<u>52</u>	Section 552a	a a sa
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request. Information pertained only to Documents originated with a to that agency(ies) for review	o a third party with no reference o a third party. Your name is list nother Government agency(ies). o and direct response to you. rnished by another Government a	sted in the title only. These documents were refe	
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 FD-36 (Rev- 3-13-56) GIR 12 Date: Transmit the following message via (Priority or Method of Mailing) IN YORK (92-SUBJECT: Subject was scheduled to surrender this date to entence on 1954 conviction of evasion of income taxes JOHN F. X. MC GOHEY, and entered a motion to be continued on ball, pending appeal. MC GOHEY continued subject on ball until 1/6/57. NYO will follow and advise Bureau. Bureau -New York (92-649) cial Agent in Charge

FBIGIR 16 6

			Date:	12/20/57	
	Transmit the	following message via _		AIRTEL	
		(Priority or Method			
	TO: TRON:	DIRECTOR, FBI		ige.	
	Subject:	A	. vas		3-1
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	12/16/57 and ruled ruled the	It is noted the denied COSTELLO that COSTELLO must	at Judge JOHN F. 'S motion to set urrender 12/19/57 surrender at 3:30	I. Mc GOHEY, en aside his convi , however, he l PM, 12/23/57.	ction, ater
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Date:

1/7/58

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AIRTEL

(Priority or Method of Mailing)

TO:

DIRECTOR. FBI

FROM .

BAC, HISW YORK (92-649)

SUBJECT:

FRANK COSTELLO, was, ANTI-RACKETEERING

Re NY airtel to WFO, 12/31/57, and WFO airtel to

Federal Bureau of Narcotics, 90 Church St., NYC, was recontacted on this date. He was pmable to state when subject's file was forwarded to their headquarters in Washington, D. C., nor was he even able to speculate as to when the file might be returned to his NYO.

Due to the uncertainty as to when subject's file will be returned to NY, WFO is again requested to review the subject's file at Bureau of Narcotics Headquarters. Washington, D. C., for any information indicating subject's activities or associates in narcotics.

INASMUCH AS SUBJECT WAS SENTENCED ON 4/15/15. NYC
FOR ONE YEAR FOR POSSESSION OF A REVOLVER AND DUE TO HIS
REPORTED ASSOCIATION WITH TOP HOGDLUMS, SUBJECT SHOULD BE
CONSIDERED DANGEROUS.

POWERS

3)Bureau 2-WF0 (92-78) 1-New York (92-649)

92-2869-4

CHECKED AND S 1958

PW BY

62 JAN 17 Popecial Alent in Charge

V1C FBI 1/10/58 Date: AIRTEL Transmit the following message via DIRECTOR, FRI BAC. HEN TORK (92-44) FRANK TOBSELLO, WELL APTI-RACKSTRER ING ALL S For the information of the Bureau. of Appeals, Besend Circuit, on 1/8/58, stayed the subject Appeal to Mourt, to a but to une decision, a motion for considerate of \$25,000, ball, sporen was granted on conditions that subject must fill his speal belof by 2/16/58, and that the appeal be set for trigument during the book of 3/10/58. eal of a guling desying him a new trial. The enamuch as subject was sentenced on 4/15/15. WORKHOUSE RIC, FOR ONE YEAR FOR POSSESSION OF BUR TO HIS REPORTED ASSOCIATION WITH TOP HOOILUMS CONSIDERED DANGEROUS. New York (92-649) 3.29.111.29 65 JAN 1 7 1958 1486 Approved: . Sent Special Agent in





FBI

Date:

1/6/58

Transmit the following message via

AIRTEL

(Priority or Method of Mailing)

DIRECTOR, IBI

BEC TON TORK (92-649)

PANK COSTELLO. **ANTI-RACKETEER ING**

SDNY, advised this date, that subject had not surrendered on this date. He advised, however, that the US Court of Appeals, Second Circuit, on this date, continued the subject on bail, pending the Court of Appeal's decision as to the status of subject's bail,

District Judge JOHN F. X. M. GOHEY, EDNY, on 12/23/57, to surrender on this date to complete his sentence on his 1954 conviction of income tax evasion.

TNASMUCH AS SUBJECT WAS SENTENCED ON 4/15/15. TO NYC. FOR ONE YEAR FOR POSSESSION OF A REVOLVER. DUE TO HIS REPORTED ASSOCIATION WITH TOP HOODLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

Bureau New York (92-649)

pending his appeal.

18 JAN 2 1958

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Approved:

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INASMUCH AS BUBJECT WAS SENTENCED ON 4/15/15 TO WORKHOUSE, MYC, FOR ONE YEAR FOR POSSESSION OF A REVOLVER AND DUE TO HIS REPORTED ASSOCIATION WITH TOP HOODLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

- RUC

ffice Memorandum . UNITED STALES GOVERNMENT

TO

DIRECTOR, FBI

DATE: 1/18/58

FROM:

SAC, MILWAUKEE (92-46)

SUBJECT:

FRANK COSTELLO, was.

ANTI-RACKETEERING



Enclosed is the report of SA Milwaukee dated and captioned as above.

INASMUCH AS SUBJECT WAS SENTENCED ON 4/15/15 TO WORKHOUSE, NYC, FOR ONE YEAR FOR POSSESSION OF A REVOLVER AND DUE TO HIS REPORTED ASSOCIATION WITH TOP HOODLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

LEAD

THE NEW YORK DIVISION AT NEW YORK, N.Y.

Due to limited information in the possession of the Milwaukee Division concerning any Wisconsin activity on the part of subject, the New York Division will reconcile the facts of this report with prior investigations, and cause appropriate action to be taken with regard to an interview of

REFERENCE

Report of SA New York

- Bureau (Encs. 2) - New York (92-649) - Milwaukee (92-46) (Encs. 2)



FEDERAL BUREAU OF INVESTIGATION REPORTING OFFICE OFFICE OF ORIGIN INVESTIGATIVE PERIOD NUM YORK MIN YORK 12/2-18/57 DEC 26 1957 TITLE OF CASE CHANGET FRANK COSTELLO, Was, CHARACTER OF CASE Francisco Castaglia, Frank Costello, Francesco Castiglio, (TN), Francisco Catuglia, Francesco Cestuglia, Murray H. Hoffman, Francesco Saverio, Frank Saverio, ANT I-RACKETEER ING Frank Stello SYNOPSIE FRANK COSTELLO, FBI Number 936217, born 1/26/91, Cosenza, Calabria, Italy. Naturalized as US Citizen 9/10/25, at NYC. De-naturalization proceedings instituted in 1952, still pending. Subject continues to reside at A15 Central Park West, NYC. Reported to have interest in Copacahana Mightolub, MYC, Beverly Club, New Orleans, La., and various other enterprises. He admitted he was formerly in real estate business. Subject presently no known place of regular employment. Subject has admitted he was a bootlegger prior to 1926 or 1927; he operated slot machines in NYC from 1928 to 1933; becam a betting commissioner in NYC, as he termed it; and he received \$60,000. from 1945 to 1949, for assisting in getting bookmakers out of Rocsevelt Roceway, Westbury, Subject has admitted he helped to secure Democrat nomination as Justice of MY Supreme Court in 1943, for THOMAS A. AURELIO; and at one time, had various friends who were in politics. Reported that the gang overlord of all crime and rackets in NYC and vicinity, was the subject, who sits in judgment over all questions of

jurisdiction between gangs and any dissension which migrarise among the gangs, on 12/16/57, subject's motion to set aside his light conviction of evaluation of the set aside his light conviction of evaluation of the set as the set was denied and subject ordered to surrender 12/19/57,

complete sentence. Identification record and physical escription set out. INASPUCE AS SUBJECT WAS STATISTICE +/15/15. TO WORKHOUSE: NYC, FOR ONE SSION OF A PEVOLVER AND DUE TO HIS REPORTED

ATION VITH TOP HOODLUMS COPY DESTROY

ED DANGEROUS.

MAY 22 Bureau (C

Albany 4-New York

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1-San Diego
1-San Francisco

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DETAILS:

At New York, New York

The title of this report has been marked changed to reflect additional names for subject as FRANCISCO CASTAGLIA and FRANCISCO CATAGLIA, as appears in records of United States Penitentiary, Lewisburg, Pennsylvania, and the name FRANCESCO CASTIGLIO, as appears in records of Immigration and Naturalization Service, 70 Columbus Avenue, New York City.

A. PERSONAL HISTORY AND BACKGROUND

1. Birth

FRANK COSTELLO has furnished various information as to his origin. "Colliers" magazine of April 12, 1947, reflected that when he was married and when he was arrested in New York City, as well as during his examination by the United States Attorney in 1935, he claimed he had been born in New York City, exact date not given. However, incoording to this magazine in his petition for final naturalization, subject advised he was born on January 26, 1891 in Cosenza, Italy.



In the New York "News" of January 25, 1944, it was stated that subject was born in Calabria, Italy, in 1893. This newspaper indicated that his mother's maiden name was SAVERIO and his father's name was STELLO or CASTELLANO.

The records of a Federal agency which maintains personnel records, reflect subject was born January 26, 1893, in Calabria, Italy.

Records of the Bureau of Vital Statistics, Marriage License Bureau, Manhattan, New York City, reflect subject was born at New York City, no date indicated.

Records of the Immigration and Naturalization Service (INS), 70 Columbus Avenue, New York City, reflect subject was born January 26, 1891 at Conenza, Calabria, Italy.

Records of the United States Penitentiary, Lewisburg, Pennsylvania, indicate subject born on January 23, 1893, at La Ropalla, Calabria, Italy.

2. Citizenship

On December 1C, 1957, Agent
INS, 70 Columbus Avenue, New York City advised SA
that records of his office reflect
that FRANK COSTELLO, whose true name was indicated as
FRANCESCO CASTIGLIO, was born on January 26, 1891, at
Cosenza, Calcbria, Italy.

He advised that subject arrived in New York City with his mother and sister on April 2, 1895. His father was listed as LUIGI CASTIGLIA and his mother was listed as MARY SAVERIO ALOISA.

According to subject was naturalized in New York City on September 10, 1925. He was married in Manhattan, New York, on September 23, 1914, to LORETTA GEIGERMAN.

On October 22, 1952, a complaint was filed in the United States District Court, Southern District of New York, on a motion to revoke subject's naturalization in that his naturalization was procured froudulently and illegally. Went on to state that subject's case concerning his denaturalization is presently before the United States Supreme Court.

3. Education

Investigation conducted by SA on December 16, 1957, at the United States Penitentiary at Lewisburg, Pennsylvania, reflects an Admission Summary prepared on September 18, 1952, indicating that subject was born FRANCISCO CASTAGLIA in La Ropalla, Calabria, Italy, on January 23, 1893. He furnished information that he immigrated to the United States with his parents at the age of two and subsequently became a naturalized citizen.

The family first setting in Astoria, Long Island, and later moved to the Harlem section of New York

City, where the subject attended grale school. The schools that he attended were indicated as being public schools 82 and 108 in New York City. Subject admitted his school attendance was irregular and his progress slow, because of the poor financial circumstances of his family. 110: discontinued school at the age of 14, at which time he was in the third or fourth grade.

4. Employment

Former Employment

The Admission Summary prepared on September 18, 1952, at the United States Penitentiary, Lewisburg, Pennsylvania, as referred to above, reflects that after leaving school at the age of 14, subject advised that he was employed for a number of years as a messenger boy in the family grocery store and later worked at unskilled factory work in the New York area for a short period of time.

Marriage License number 25202, Bureau of Vital Statistics, Manhattan, New York City, issued on September 22, 1914, reflects that subject's occupation at that time, was that of a plumber.

The "Colliers" magazine of April 12, 1947, in an article reflects that at the time of the arrest of the subject on March 12, 1915, in New York City, the subject stated he was a steamfitter by occupation and that he resided at 222 East 108th Street, New York City.

The New York "News" of June 25, 1944, indicated that it had been pointed out in court at that time, that subject had not worked as a steamfitter for a couple of years, having been engaged in the operation of a saloon.

In the Admission Summary of September 18, 1952, referred to above, the subject also claimed that he entered the real estate business in 1922 and since then, has been

self employed as an independent operator in real estate. He claimed that he retired from active interest in the real estate business several years ago.

It is noted that the records of T-7, a Federal investigative agency, reflect that for the following years, subject reported he had a total income as indicated:

<u>Date</u>	Amount
1936 1937 1938 1939 1940 1941 1942	\$78,955.83 66,461.94 22,323.07 5,729.95 10,288.48 17,550.00 14,509.04 60,813.43

It is noted that during the calendar years 1936-1940, the records of T-7 reflect that subject reported that his entire income accrued from his partnership with PHILIP KASTEL, his partner in New Orleans, Louisiana. The source of income for the years 1941 and 1942 were not indicated by subject. According to T-7, subject reported his income for the year 1943 accrued from the Louisiana Mint Company, New Orleans, Louisiana.

It is to be noted there is no known present place of regular employment for the subject.

5. Marital Status

The Admission Summary prepared on September 18, 1952, at the United States Penitentiary, Lewisburg, Pennsylvania, referred to above, reflects that subject was married on September 23, 1914, at New York City, to LORETTA GEIGERMAN, who was 55 years of age in 1952, native born, grammar school education and who was reared in New York City. She was introduced to subject by her older brother and the marriage occurred after a courtship of one year. She informed that their relationship had been congenial and that subject was a fine companion and a good husband. No children were born to this marriage.

47C

caused a search to be made of the records of the Bureau of Vital Statistics, Marriage License Bureau, Manhattan, New York City, on December 6, 1957. Marriage certificate number 25202 reflects that FRANK COSTELLO, age 23, born in New York City, of 24 West 117th Street, a plumber by occupation, secured a license on September 22, 1914. His father was listed as LUIGI, last name not indicated, who was born in Italy. His mother was indicated as NIONE SAVERIO, born in Italy. Subject and LORETTA GEIGERMAN were married in St. Nicholas Church on September 23, 1914, by Clergyman THOMAS MC CARDLESS of 712 West Find Avenue, New York City. Witnesses to this marriage were PAULINE WALDEN and GASSOTTO SAVERIO CASSOTTO.

LORETTA GEIGERMAN was described as nineteen years of age, born in New York City, of 1968 Seventh Avenue. Her father was listed as JAOK, last name not indicated, born in the United States, and her mother was listed as CECILIA JOSEPHE, born in the United States.

6. Residences

a. Current Residence

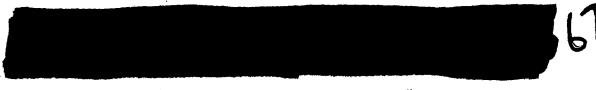
It is noted that the current residence of subject is located in the Majestic Apartments, a large apartment building located at 72nd Street and Central Park West, New York City.

According to the "New York Journal American", an article of May 5, 1957, related that COSTELLO occupies an eighteenth floor suite at 115 Central Park West, New York City.

In the Admission Summary made at the United States Penitentiary, Lewisburg, Pennsylvania, on September 18,

1952, subject advised that for the past thirteen years, he and his wife have maintained an apartment at 115 Central Park West, New York City, and a rental of \$343.00 is paid for this apartment. They also maintain a home at Sands Point, Long Island, which they use for only occasional weekends.

The "New York Herald Tribune" of June 22, 1944, reflected that on May 13, 1944, OOSTELLO purchased in his wife's name a twelve room house on Barkers Point Road, near Sands Point Road, Sands Point, Long Island, New York, as a summer residence. COSTELLO paid \$15,000.00 cash for the home and assumed a \$16,000.00 mortgage already on the property.

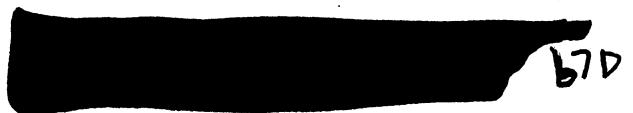


The "New York Journal American" article of May 15, 1957, stated that subject has a luxurious home in Bands Point, a north shore community and that many of his neighbors are wealthy so-called "prominent citizens."

A photograph of the subject's home at Eands Point, Long Island, New York, which was obtained from a New York City newspaper, is being maintained by the New York Office in instant file.

The Miami Office advised on April 18, 1954, that subject ontinued to own a lot on Hollywood Boulevard, Hollywood Avenue, Hollywood, Florida, where he originally started construction on a home. The Miami Office advised that it had been noted that this building was vacated after adverse publicity and the construction had not been resumed.

67C,



b. Former Residences

The following are former residences of the subject as reflected in various records, newspapers, and (by admissions made by subject:

24 West 117th Street, New York City September 23, 1914

222 East 108th Street, New York City March 12, 1915

234 East 108th Street, New York City March 26, 1923

405 Lexington Avenue, New York City 1925

Graystone Hotel, New York City January, 1927

585 West EndAvenue, New York City 1927 to 1930

65 Central Park West, New York City 1930 to 1931

241 Central Park West, New York City 1931 to 1937

7. Relatives

The following are known relatives of the subject:

Mrs. LORETTA B. COSTELLO, nee GEIGERMAN, wife of subject who resides with subject in a suite on the 18th floor of 115 Central Park West, New York City. As reported above, no children were born to subject and his wife.

- ✓ LUIGI CASTIGLIA, father, died in 1922.
- MARY (SAVERIO) CASTIGLIA, mother, died in 1940.

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- 7 EDWARD COSTELLO, brother, age 71, 21-24 21st Street, Astoria, Long. Island, New York.
- ✓ SADIE COSTELLO, sister, died in 1936.
- ✓ CONCETTA COSTELLO, sister, died.in 1944.

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8. Associated with Relatives in Criminal Activities

The records of the United States Attorney's office, Southern District of New York, reflect that subject and others were indicted by a Federal Grand Jury on November 18, 1926, on a charge of conspiracy to violate the prohibition amendment. However, they were found not guilty on January 20, 1927. Among those indicted was EDWARD COSTELLO, brother of subject.

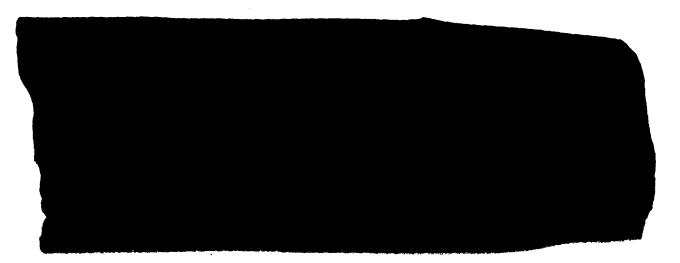
The New Orleans Office advised on May 22, 1950, that on May 6, 1940, FRANK COSTELLO, together with

Were charged with violation of Title 26, United States Code, Section 145, Violation of Income Tax

Laws and Title 18, Section 88, United States Code, Conspiracy to Violate Income Tax Laws. However, subject and his co-defendants were acquitted in Federal Court in the Eastern District of Louisiana.

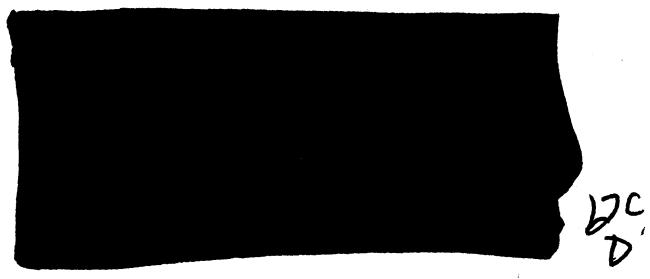
Subject appeared before the United States Senate Crime Investigating Committee in New York City, on March 13, 1951, and named as his associates with whom he was connected in the Louisiana Mint Company, New Orleans, Louisiana, as PHIL MASTEL, New Orleans, part owner; CHARLES MURFHY, lawyer and Certified Public Accountant, who acted for him in New Orleans; FRED RICHTEGAD, part owner; and DUDLEY GRIGHMAN, manager. He described this company as being a slot machine company. It is noted that DUDLEY GRIGHMAN is a brother-in-law of the subject.

B. CRIMINAL THE OPD



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On May 7, 1957, FRANK COSTELLO was sentenced in General Sessions Court, New York City, to 30 days in the workhouse for contempt of court in that he had refused to answer Grand Jury questions. It is noted that COSTELLO was not fingerprinted on this charge.

2. FBI Identification Record

The following is the Identification Record for FRANK COSTELLO under FBI number 936217 as appears in the records of the Identification Division of the Bureau, furnished under date of December 10, 1957:

Contributor of Fingerprints	Name and Number	Arrested or Received	Charge	Dispo- sition
Police Department New York New York	Frank Costello #B-38412	May 31 1935	Conspir-	June 3, 1937 dismissed
	As Frank Coste conspiracy (Fo States Marshal from New York	deral case) I (per informa	eputy Unit	ed
Federal Detention Headquarters New York New York	Frank Costello #28331	October 9 1939	conspired to evade payment of taxes	October 10 1939 bail
United States Marshal New York New York	Frank Costello #C-23-463		evading payment of taxes and Section 1014 USKS to South- District Louisiana	
United States Marshal New York New York	Frank Costello #C-1760-51	July 25 1951	contempt	pending
Federal Betention Headquarters New York New York	Frank Costello #64136	August 15 1952	rcfusing to answer Senate Committee	August 22

Contributor of Fingerprints	Name and Number	Arrested or Received	Charge	Disposition
United States Penitentiary Lewisburg Pennsylvania	Frank Costello #20125	→ Joi ve:	refusing to answer certain questions before nate Sub- mmittee in- stigating ime	l year 6 mos. October 9, 1952 trans- ferred to Atlanta
United States Penitentiary Atlanta Georgia	Frank Costello #72866	October 10 1952 in trans- fer from US Peni- tentiary Northeast	Investi- gation crime Contempt before Senate Sub-Com mittee	18 mos.
Federal Correctional Institution Milan Michigan	Frank Costello #16433	December 26, 1952 trans- ferred from Atlanta	Commi vesti	18 mos. October 29, 1953 released on min- imum expiration of con- tempt (Before te Sub- lttee In- gating) see not.
Dauphin Gounty Prison Harrisburg Pennsylvania	Frank Costello #DC.PD- 5585	April 21, 1953	In transit	

Contributor of Fingerprints	Name and Number	Arrested or Received	Charge	Dispositic
Federal Detention Headquarters NY NY	Frank Costello #H-2884	May 17 1954	Evasion of in-come taxe	5 yrs fine s \$30,000.0
Federal Detention Headquarters NYC NY	Frank Costello #H-2884	May 14 1956	Evasion Income Taxes	5 years
Workhouse Rikers Island NY	Frank Costello #452483	May 8 1957	Contempt Court	30 days

Frank Costello New York New York May 6, 1908 assault and robbery; May 8, 1908 discharged. Frank Saverio New York New York March 12, 1915 revolver; April 5, 1915 Penitentiary. Frank Costello #-- United States Marshal New York New York, April 8, 1952 contempt of Congress; April 8, 1952 fined \$1,000 each on counts 1, 3, 4, 5 and 3; sentenced 6 months on counts 5, 6, 7 to run concurrently; 1 year on counts 8, 9, 10 and 11 to run concurrently and to be served after actual completion of the 6 months on counts 5, 6 and 7; 30 days each on counts 1, 3 and 4 to be served concurrently with counts 5, 6 and 7; fined \$100 on counts 6, 7, 9, 10 and 11, but remitted

#16433 10/29/53 rel on Min. Exp.

Federal
Bureau of Frank
Investigation Costello May 31, Deputy
NY NY #-- 1935 conspiracy US
Marshal

Contributor

Fingerprints

Name

Arrested

and

Number

or Re**c**eived

Charge Disposition

WELL KNOWN GANGSTERS AND RACKETEERS.

#B-38412 FRANK COSTELLO.

MCDUS OPERANDI: Resides at 241 Central Park West, New York City, is one of the higher-ups in the alot machine racket and is, generally speaking, a racketeer. During the prohibition era he was involved in bootlegging and liquor deals.

(Information received from Bureau Office, New York, New York, October 21, 1935, file 62-29950

The Bureau also furnished a copy of the fingerprints of subject taken on October 9, 1953, reflecting his fingerprint classification as 18 0 5 U CIO 11 I 19 W 000

The fingerprint card of subject is being maintained in New York Office in instant file.

3. Records of Court Proceedings

Olerk, Chief Magistrate's
Court, Records Room, 100 Centre Street, New York City,
advised SA on December 5, 1957, that
the Records Room is a repository of old records of all
courts in New York City. He advised, however, that
the records pertaining to arrest and court records prior
to 1936 are no longer maintained inasmuch as they have
been destroyed and records are kept for only approximately
twenty years. He advised that the only record he has
that would indicate any information concerning court
appearances prior to 1936 is his lodger, however, the
ledger will only reflect the docket number and disposition.
He advised that the ledger does not show the name of the
attorney of record.

The records of the United States Attorney, Southern District of New York, reflect COSTELLO was indicted by a Federal Grand Jury in New York City, on November 18, 1926, on a charge of conspiracy to violate the Prohibition : Amendment, but was found not guilty on January 20, 1927. The following individuals were indicted with COSTELLO at this time: EDWARD COSTELLO, brother of FRANK; DORSET ALDOUS; FRED ASSMUS ELDON BARDH; FRANK J. BJORKGREN, WILLIAM BLEET; NICHOLAS BROWN; C. HUNTER CARPENTER; PHILLIP J. COFFEY FRANK C. CORSON; MIKE DOHERTY, alias DAUGHERTY; RICHARD ELLIS; CLARENCE GEISLER; WILLIAM R. HUGHES; DANIEL J. KELEHER; EDWARD KELLY; FRANK KELLY; FRED JOSEPH LEWIS; JOHN LOVIUS; TONY MELILLO; FREDERICK B. MILLER; JAMES P. O'CONNELL; JOE O'CONNELL; F.C. PITTS; FRANK PONZI, alias FABER; WILHELM PUMP; ROBERT RAISEN; HARRY C. SAUSSER; ROBERT H. SIMS; FRANK J. STUART W. L. VAN DYKE and C. J. WHITNEY, alias HANNIGAN. The Equitable Surety Company, 130 William Street, New York City, furnished bond for FRANK COSTELLO at this time, and his address was the Graystone Hotel, New York City. It is noted the trial in this conspiracy case resulted in the acquittal of nine minor defendants and disagreement as to six major defendants. Assistant United States Attorney WILLIAM E. STEVENSON, Southern District of New York, suspected some of the jurors may have been bribed, which suspicion could not be proven."

On December 16, 1957, SA checked the records of docket number C-45-985 in the court clerk's office of the United States District Court, Southern District of New York.

The records reflected that on November 18, 1926, in the United States District Court, Southern District of New York, an indictment was filed charging FRANK COSTELLO and 32 others with conspiring to purchase, import, transport, possess, sell, barter, furnish and deliver intoxicating liquor in violation of Section 88, Title 18, United States Code.

On January 3, 1927, the trial of FRANK COSTELLO and seventeen others began in the United States District Court, Southern District of New York. On January 20, 1927, the jury disagreed as to a verdict in regards to FRANK COSTELLO and five others.

On December 1, 1933, the indictment against FRANK COSTELLO was ordered dismissed by Honorable JOHN M. WOOLSEY, United States District Judge, upon a motion of Assistant United States Attorney DAVID MARCUS. No attorney of record was indicated.

On March 2, 1942, Assistant United States Attorney RICHARD J. BURKE, in a review of this case, and upon his recommendation that a nolle prosequi be entered in this case concerning the remaining defendants, stated that the records of the United States Attorney's office could not be located, although a careful search had been made and further, that the New York Office of the Alcohol Tax Unit was unable to locate any report on this case after a search of their files.

Others named in the indictment:

EDWARD COSTELLO DORSET ALDOUS FRED ASSMUS ELDON BARDH FRANK T. BJORKGREN WILLIAM BLEET MICHOLAS BROWN C. HUNTER CARPENTER PHILLIP J. COFFEY FRANK C. CORSON MIKE DOHERTY RICHARD ELLIS CLARENCE GEISLER WILLIAM R. HUGHES DANIEL J. KELEHER EDWARD KELLEY FRANK KELLEY FRED JOSEPH WILLIAMS

JOHN LOVINS
TONY MELILLO
FREDERICK B. MILLER
JAMES P. O'CONNELL
JOE O'CONNELL
F. C. PITTS
FRANK PONZI
WILHELM PUMP
ROBERT RAISEN
HARRY C. SAUSSER
ROBERT H. SIMS
FRANK J. STUART
W. L. VAN DYKE
O. J. WHITNEY

On June 7, 1935, subject was indicted by a Federal Grand Jury at New York City, for violation of the Interstate Transportation of Stolen Property Act. Individuals indicted with him at this time were: NOEL CHARLES SCAFFA; NICHOLAS MONTONE; CHARLES CALI; ALBERT J. CONTENTO with alias AL HOWARD; CHARLES ALVIN STERN alias "BROADWAY CHARLIE STERN"; PASQUALE TESORIERE alias PATSY DYKE.



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All of the

individuals mentioned above were indicted for the interstate transportation of this jewelry and also for conspiracy. Indictments as to COSTELLO were Nol-Prossed on June 3, 1937.

reviewed Docket number C97-73, in the United States District Court Clerk's Office on December 10, 1957. The records reflect that subject; CHARLES CALI, alias CHARLES WILLIAMS; NICHOLAS MONTONE, with aliases; Nick Marlowe, "Little Nicky;" PASQUALE TESORIERE, with alias: Patsy Dyke; ALBERT J. COMMENTO, with alias: Howard Peerless; CHARLES STERN alias "Broadway Charlie;" and NOEL C. SCAFFA, were charged with a violation of Title 18, United States Code, Sections 88, 415 and 550. The offense was the unlawfultransport from Lade County Florida to New York City, jewelry, knowing same to have been stolen and conspiracy to do the same, two counts.

On October 15, 1935, subject entered a plea of not guilty. The case was called to trial on November 12, 1935. On January 13, 1936, the case was again called to trial, however, it was marked off the calendar. On June 3, 1937, a nolle prosequi was entered and the indictment was dismissed in the United States District Court, Southern District of New York. Because of the evidence in the Government's possession, it was felt a prima facie case could not be made against the defendants.

This indictment was filed on October 8, 1935, charging the subject and co-defendants with the offense of transporting in interstate commerce jewelry valued at \$185,000.00, knowing same to have been stolen; in violation of Title 18, United States Code, Section 415 and conspiracy to violate this section contrary to Title 18, Section 88, United States Code.

These records reflect that on May 31, 1935, the subject was bailed in the amount of \$7500.00 by the United States Fidelity and Guaranty Company, 75 William Street, New York City. Subject's attorneys were listed as BLAN, POLAKOFF and BIERMAN., 475 Fifth Avenue, New York City. The subject's address at that time, was indicated as 241 Central Park West, New York City.

On March 13, 1951, subject testified before the United States Senate Crime Investigating Committee while it was in session in New York City. He gave his home address as 115 Central Park West, however, immediately after answering the question as to his residence, his attorney, GEORGE WOLF, received permission to read a prepared statement. This statement concerned itself with alleged public statements made by members of the Committee to the effect that COSTELLO was the leader of a national crime syndicate.

After the reading of the statement, COSTELLO admitted that when he was a boy, he was sometimes known by his mother's maiden name, "SEVERIO", and that he might have used that name in later life. He admitted in 1950 that he was arrested in New York State for possession of a revolver, and that he probably used the name FRANK SEVERIO at that time. COSTELLO then advised that he was unable to recall whether or not he had used any other names. The late RUDOLPH HALLEY, the Committee's Chief Counsel, thereupon produced an application for naturalization on which COSTELLO used the name FRANCISCO CASTAGLIA.

COSTELLO advised on March 13, 1951, that he was in the real estate business. However, he stated he did not believe he was in the liquor business at the time he executed his application for naturalization. He testified that an individual by the name of SAUSSER and FRANK GOSS had witnessed his naturalization application; however, he denied that either of these two individuals were at that time engaged in bootlegging. He stated that he had later bought liquor which was smuggled into the UnitedStates from Canada, and that he had sold it illegally and that he had purchased this liquor from a man named HARRY SAUSSER. However, he denied that this HARRY SAUSSER was in any way connected with the SAUSSER who witnessed his naturalization application. COSTELLO testified that he was engaged in buying liquor imported from Canada in approximately 1927, 1929 or 1929. However, he felt quite certain that it could not have been as early as 1922 or 1923. He stated that to the best of his recollection, he did not think it was any earlier than 1927.

HALLEY pointed out that COSTELLO's first declaration of naturalization was made in 1923, and that the date of the filing of these papers was May 1, 1925. HARRY SAUSSER, whose name appeared on his naturalization papers, gave his employment as being in the real estate business in Huntington, Long Island, and FRANK COSS, who also witnessed his naturalization papers, listed his business as being real estate.

Senator TOBEY then remarked that if in fact there were a conspiracy between the parties involved to break the laws, and if at a later date COSTELLO were made a citizen, there would be a good possibility of deporting COSTELLO, since he had falsified the records.

OOSTELLO admitted that he had been indicted in 1925 for conspiracy to smuggle liquor into the United States. RUDOLPH HALLEY, Chief Counsel, established that FRANK GOSS and HARRY SAUSSER were among 62 codefendants and that the case against COSTELLO was later dismissed by the late Federal Judge FRANCIS A. WINSLOW.

It was then brought out that COSTELLO was admitted to citizenship on September 10, 1925. COSTELLO denied that he ever engaged in the business of selling, purchasing, transporting or processing alcoholic beverages within the United States prior to that time. COSTELLO admitted that he had been a bootlegger for some time and that he had operated from an office located at 405 Lexington Avenue, New York City.

HALLEY then read from a statement of interrogation of COSTELLO in 1947, before the New York State Liquor Authority, in which he testified that he had been engaged in bootlegging from 1923 to 1926. COSTELLO admitted that he had made this statement; however, stated that after thinking it over, to the best of his recollection, he had never engaged in the bootlegging business prior to 1926 or 1927.

OOSTELLO also denied that at the time he became a citizen and swore to uphold the Constitution of the United States, he was violating any of the laws of the United States. COSTELLO then refused to answer a direct question as to his current financial position on the grounds that it might incriminate him. He was asked specifically as to his net worth and refused to answer the question.

At the close of the session on March 13, 1951, Senator O'CONNOR pointed out that COSTELLO had answered many questions throughout the day and had only refused to answer the question as to his net worth. He pointed out that COSTELLO and his attorney should consider this fact, since it would be necessary to propose a citation for contempt unless COSTELLO saw fit to answer that question on the following day.

COSTELLO continued his testimony on March 14, 1951, and at first denied detailed knowledge of the slot machine business conducted in Louisiana by "DANDY PHIL KASTEL", at which time Chief Counsel HALLEY read to him wiretap recordings that showed that OOSTELLO was setting a price on the machines.

HALLEY then asked COSTELLO whether or not he had heard of an individual named JAMES MC LAUGHLIN, to which COSTELLO replied he had never heard of anyone by that name. COSTELLO then denied that IRVING SHERMAN had introduced JAMES MC LAUGHLIN who worked for the telephone company, to him. He also denied that MC LAUGHLIN had checked his telephone wires at his request and stated that he had never given anyone a contract to check his wires. COSTELLO also denied having given anyone any money to check his telephone wires.

COSTELLO advised that he had a bank account of \$90,000 to \$100,000, but stated that he had not had an opportunity to check his bank balance recently.

When COSTELLO was called to the witness stand, he told the Committee that he was in no condition to testify and would not testify until he was well enough. COSTELLO said he was in very bad health and did not feel that he could, at any time, testify to any questions. Mr. HALLEY reminded COSTELLO that he could be cited for contempt, at which time COSTELLO left the hearing.

Dr. VINCENT J. PANNETTIERE testified that he was an ear, nose and throat specialist with an office at 35-20 98th Street, Corona, Queens. He testified that he had visited FRANK COSTELLO on March 15, 1951, and testified generally as to COSTELLO's throat. In answer to a question by RUDOLPH HALLEY as to whether COSTELLO could talk in a reasonable conversational basis, for reasonable periods, if he had urgent business requiring him to talk, Dr. PANNETTIERE answered that OOSTELLO's condition was such that it would not endanger his health under the conditions set forth by HALLEY.

On March 16, 1951, COSTELLO returned to the hearing rooms with his attorney, at which time, his attorney read another statement from a physician, Dr. DOUGLAS QUICK, 350 Park Avenue, New York City, indicating that COSTELLO was undergoing treatment for a throat ailment. The Committee then asked that

COSTELLO testify for a short time. COSTELLO refused to answer questions saying he did not feel that he was well enough to answer any question.

The following information was secured from Assistant United States Attorney ROBERT MARTIN and from the minutes of the Kefauver Committee hearings held in New York City in March of 1951:

FRANK COSTELLO was called as a witness before the Special Senate Committee to Investigate Crime in Interstate Commerce. The Chairman of the Committee was United States Senator ESTES KEFAUVER, and hearings were held in the United States Court House in New York City in March of 1951. FRANK COSTELLO was subpoenaed as a witness before this Committee on March 13, 14, 15, 16, 19, 20 and 21, 1951. On March 13, 1951, he refused to answer questions relative to his net worth. On March 15 and 16, 1951, he refused to answer any questions. On March 21, 1951, he refused to answer the question as to whether he owed an amount of money in excess of \$10,000 to any person, company or organization. He also refused to answer questions regarding his total indebtedness.

Based on COSTELLO's refusal to answer questions before the dommittee after being directed to do so, COSTELLO was first indicted on July 25, 1951, on nine counts in violation of Section 192, Title 2, United States Code. COSTELLO surrendered himself on July 25, 1951, to the United States Marshal and was released in \$5,000 bail after his arraignment on the same day.

On December 5, 1951, a superceding elevencount indictment was filed charging violation of
Section 192, Title 2, United States Code. COSTELLO
went to trial in the United States District Court on
January 7, 1952, before Federal Judge SYLVESTER J. RYAN.
The Government's case was handled by United States Attorney
MYLES J. LANE, assisted by Assistant United States
Attorneys ROBERT MARTIN and JOSEPH P. MARTIN. COSTELLO
was represented by Attorney GEORGE WOLF. The trial ended
on January 14, 1952, when the jury disagreed. It was
reported that the jury stood eleven to one for conviction.

COSTELLO went to trial a second time beginning March 31, 1952, before Federal Judge SYLVESTER J. RYAN. The same United States Attorneys appeared for the Government, and COSTELLO this time was represented by Attorney KENNETH M. SPENCE. On April 4, 1952, he was found guilty by the jury on all ten counts. He was sentenced by Federal Judge SYLVESTER J. RYAN on April 8, 1952, to the following sentence:

Fined \$1,000 each on counts one, three, four, five and eight. Sentenced six months on counts five, six, seven, to run concurrently. One year on counts eight, nine, ten and eleven, to run concurrently and to be served after actual completion of the six months on counts five, six and seven. Thirty days each on counts one, three and four to be served concurrently with counts five, six and seven. Fined \$100 on counts six, seven, nine, ten and eleven, but remitted.

Judge RYAN remanded COSTELLO to jail on April 8, 1952, but he was continued in the same \$5,000 bail by the Circuit Court of Appeals pending an appeal on his conviction.

This information was received from United States Attorney MYLES J. LANE, Southern District of New York.

On July 3, 1952, the United States Court of Appeals, Second Circuit, unanimously upheld the conviction of FRANK COSTELLO for contempt of the Senate Crime Committee on Counts 5, 6 and 8, but reversed the conviction on counts 1, 3, 4, 7, 9, 10 and 11 on which COSTELLO was found guilty on April 4, 1952 by the United States District Court. By the reversal of the above counts, COSTELLO's imprisonment to a term of cighteen months remained, but the fine was reduced from \$5,000 to \$2,000. The Appeals Court was made up of Judges AUGUSTUS N. HAND, HARRIE B. CHASE and JEROME FRANK.

On July 15, 1952, Justice ROBERT H. JACKSON, United States Supreme Court, denied an Application for Stay of the Mandate, ordering the imprisonment of COSTELLO.

On July 18, 1952, a petition was made to the United States Court of Appeals, Second Circuit, for a rehearing of the appeal. This application for a rehearing automatically suspended the mandate.

United States Attorney MYLES J. LANE, on October 17, 1952, advised that subject, FRANK COSTELLO, lost his last appeal when on August 13, 1952, Supreme Court Justice JACKSON for the second time refused to permit COSTELLO to remain free on five thousand dollars bail while awaiting appeal to the Supreme Court. COSTELLO surrendered to the United States Marshal for the Southern District of New York, on August 15, 1952, to begin serving the 18 months sentence he received for Contempt of Senate Crime Committee.

On December 6, 1957, SA
reviewed the records of Docket Number C137-55 in the
Court Clerk's Office, United States District Court,
Southern District of New York. Files reflect that
FRANK COSTELLO Vascharged with the violation of Title
2, Section 192, United States Code in that he refused
to testify before the Senate Subcommittee Investigating
Crime. This indictment was filed in the Clerk's Office
in the United States District Court, Southern District
of New York, on December 5, 1951, and a Bench Warrant
was issued by Judge SAMUEL H. KAUFMAN. On December 6,
1951, the defendant pleaded not guilty. The defendant
was released on bail in the sum of \$5,000, and surety was
Manufacturers Insurance Company, 116 John Street, New
York City.

The trial began January 7, 1952 and on January 18, 1952, the jury failed to agree upon a verdict and the jury was discharged. Trial was again set for February 7, 1952. On February 7, 1952, upon oral application of the defendant's attorney, the case was adjourned until March 18, 1952. Upon another oral motion by defendant's attorney, the case was again postponed until March 31, 1952. The trial began on March 31, 1952. On April 4, 1952, the defendant was found guilty.

On April 8, 1952, a hearing was held in order to call a mistrial, however, the motion was denied. On April 8, 1952, COSTELLO was sentenced to eighteen months and fined \$5,000 by Judge SYLVESTER J. RYAN. He was last confined at Milan Correctional Institution, Milan, Michigan.

The records indicate that subject resided at that time at 115 Gentral Park West, New York City, and his attorneys were listed as being KENNETH M. SPENCE, ERNEST ANGELL, 40 Wall Street and GEORGE WOLF, 509 Madison Avenue, New York City.

On December 16, 1957, SA representation of Docket C 101-393 in the Court Clerk's Office, United States District Court, Southern District of New York.

On January 14, 1938, an indictment was filed in the United States District Court, Southern District of New York, charging FRANK COSTELLO and 65 others in violation of Section 1155 (e and f), 1162, 1163, 1184, and 1185, Title 18 United States Code.

The indictment charged that during the period from November 1, 1934, up to and including the date of the filing of the indictment, the defendants set up and operated nine illicit distilleries at certain specified times and places.

On May 10, 1938, FRANK COSTELLO entered a plea of not guilty and a bond of \$3,000 was set. Subject was remanded to the custody of the United States Marshal, however, he was then released on bail.

On May 25, 1942, a nolle prosequi was entered with respect to FRANK COSTELLO and the above indictment was dismissed. The indictment was dismissed because of insufficient evidence to bring about a successful prosecution. No attorney of record was indicated.

Others indicted in the above indictment were:

MOE KASSOF, with aliases: "Moe", "Sam Harris", "Moe Baker", "M. Brown", "James J. Butler", "Abe Cohen" "Robert L. Stephens".

SAMUEL KRUMINSKY, with aliases: "Shim", "Sam Cummings", "Sam Harris", "Sam Kramer".

DANIEL DAVIDSON, with alias: "Danny"

WILLIAM GREEN, with aliases: "William Kasofsky", "Putzo"

HARRY GREEN, with aliases: "Henry Kasofsky" "Henry Green", "Hymie Green", "Harry Kichman", "Harry Kaye"

LEON HENRYOSKI

MICHAEL PIA, with aliases: "Mike", "Antonio Rossi", "John Paolo"

EMILIO PIA, with aliases: "Bill , "Louis Vino"

DIETRICH ROHLFS, with aliases: "Dick", "King

Kong"

HENRY ROHLFS, with aliases: "Henry the Dutchman"

HAROLD DAVIDSON MORRIS COHEN JACK GOODMAN

SAMUEL GINSBERG, with aliases: "Doll", "Dahl" "Nathan Gold", "Nathan Glasser", "Jacob Glass"

SAMUEL KATZ, with aliases: "Katzie", "Big Sue", "Joseph Wilson"

HYMAN ROTHMAN, with aliases: "Hymie", "Little Hymie", "Hymie Rothstein"

SAMUEL FAGELMAN, with aliases; "Perky", "Harry Cohen", "Perky Jacobs", "Perky Cohen",

JACOB ROTHMAN, with aliascs: "Jakel", "Jake," "Jack Rifkin", "Jack Rone", "Jack Schwartz"

JOSEPH CARNERA, with alias: "Longboot"

JOHN LYNCH, with alias: "Stanley"

FRANK SIEGEL, with aliases: "Frankie", "Frank Allen", "Fred Allen", "Frank Daniels", "Frank Siger"

RUDOLPH MINIA, with aliases: "Rudy", "Jacob Rodiak", "Herman Ehlers"

EMIL HANSON, with aliases: "Emil Gertz", "Albert Hentzel", "Harry Grossman"

MAX HOFFENBERG, with aliases: "Max Glazier", "Maxie"

HARRY KAPLAN

LOUIS KAPLAN, with alias: "Louie"

ABE LASKOWITZ

SAMUEL SCHLITTEN, with alias: "Sammie"

IRVING PANTEL
PHILLIP J. BENDISH
LOUIS FREUND
S. COHEN
MOE MILLER
ARTHUR MORGAN, with alias: "Art"

MEYER SHAPIRO, with alias: "The Lieutenant"

HARRY BLOOMFIELD J.C. CURRAN SALVATORE DI LORONZO

CHARLES HERTZ, with aliases: "Charlie Stokes", "Charley"

MAX HIGH, with aliases: "Max Cohen," "Red"

JOE JACOBS

OSCAR KIRSHON, with aliases: "Oscar Freeman" "Lewis Levy", "Friedman"

DAVID KRAFT
HAROLD LA CROSS
MATTHEW LAWLER
JOHN J. MC CARTHY
MC CARTHY BOILER & EQUIPMENT CORPORATION
PETER MC KERNAN, with alias: "Pete"
JOSEPH MILLER

JACOB REICHLER, with alias: "Jeke"

SAMUEL REICHLER MORRIS REICHLER

JOSEPH SHACKMAN, with aliases: "Joseph & cklan," "Shorty". "Johnnie Buck"

FRANK SILVERMAN, with alias: "Horse"

JAMES DELSON

Dr. BRUNO BURN, with aliases: "Dr. Miller", "Dr. Bruno Birnbaum", "Dr. Leonard".

JOSEPH SCHNEID, with aliases: "Josef Schnyd", "Roman"

Otterkill Farms Corporation

VITO PENNACCHIO, with aliases: "Joseph Mano", "Frank Vito", "Joe Vito"

MAXMILLIAN STEIGER LEO YEGIDIS

RAYMOND YEGIDIS, with alias: "Irving Yegidis"

MARTIN PODOLSKY, with alias: "Red"

RUBY LUBITSKY

H & P Transportation Company

ANDREW HENRYCSKI - Co-conspirator RALPH JONES - Co-conspirator LCRIN W. OTT - Co-conspirator

Clerk, Record Office, United States Penitentiary, Lewisburg, Pennsylvania, furnished the file to SA for inmate FRANK for inmate FRANK the file to SA OOSTELLO, Resistry Number 20125NE, FBI number 936217, on December 6, 1957. The file reflects that FRANK COSTELLO, with aliases; Frank Saverio, Francisco Cataglia (true name), was sentenced in the Southern District of New York, indictment number C137/55, to serve one year and six months and fined \$2,000 for refusing to answer certain questions before a Senate Subcommittee Investigating Crime. The sentence was imposed on April 8, 1952, and he was committed to the United States Penitentiary, Lewisburg, Pennsylvania, on August 22, 1952, the sentence having begun August 15, 1952. He was transferred to the United States Penitentiary at Atlanta, Georgia, on October 9, 1952.

An Admission Summary prepared on September 18, 1952, at Lewisburg, Pennsylvania, reflects subject admitted he had been rejected for military service during World War I because of his arrest record. As resources, the subject indicated that he owned a twelve room brick house on Barkers Point Road, Sands Point, Long Island, New York. He refused to furnish information regarding other resources. GEORGE WOLF, 509 Madison Avenue, New York City, was listed as his attorney of record.

${f T}$	he	Admission	Summary	also	contains	the	following "
information	:					i	

211201 ma 02011.							
	Previous Criminal Record						
May 6, 1908	New York, New York	Assault and robbery	Discharged				
March 12, 1915	New York, New York	Revolver	l year in penitentiary				
November 18, 1926	New York, New York	Conspiracy to violate Prohibition Act	Not guilty				
June 7, 1935	New York, New York	Violation National Stolen Property Act	Nolle Prossed June 3, 1937				
October 9, 1939		Evading payment of taxes and Section 1014	Not guilty May 15, 1940				
Relatives							

Qualitic		
LUIGI CASTIGLIA	Father	Died 1922
✓ MARY (SAVERIO) CASTIGLIA	Mother	Died 1940
EDWARD COSTELLO	Brother	(71) Astoria, Long Island, 21-24 21st Street
MAY COSTELLO MARCELINA	Sister	(64) New Orleans, Louisiana
✓ SADIE COSTELLO	Sister	Died in 1936
✓ CONCETTA COSTELLO	Sister	Died 1944
LORETTA (GEIGERMAN) COSTE	ELLO Wife	115 Central Park West New York City

With reference to COSTELLO's incarceration at Harrisburg, Pennsylvania,

Dauphin County Prison, Harrisburg, Pennsylvania, advised SA on December 5, 1957, that his records reflect FRANK COSTELLO was incarcerated at that place by the United States Marshal on the night of April 21, 1953, in transit, and was removed from the prison on the morning of April 22, 1953, by the United States Marshal. He advised that no folder is prepared on prisoners who are incarcerated for one night while in transit and his records contain no further information on COSTELLO.

It is noted that other information concerning subject as reflected in the Admission Summary prepared at Lewisburg, Pennsylvania, is set out and noted as such in this report.

Records of T-8, another Federal agency maintaining personnel files, reflect that subject was received at the United States Penitentiary, Lewisburg, Pennsylvania, on August 22, 1952, His approved visitors were Mrs. FRANK COSTELLO, wife, and GEORGE WOLF, attorney. Visitors denied were DUDLEY SEIGERMAN, 2637 Drews Avenue, New Orleans, Louisiana, brother-in-law, and VICTOR FENIGOLD, attorney.

Mail returned to sender while subject was incarcerated at Lewisburg, Pennsylvania, since names were not on correspondent list were as follows:

August 28, 1952, Mrs. ELSIE HERBERT, 2217 Crawford, Houston, Texas.

September 19, 1952, Mrs. BEATRICE MOONEY, 90 Dinsmore Avenue, Pittsburgh, Pennsylvania.

September 2, 1952, LAURA KLENGER, 215 East 53rd Street, New York City.

September 8, 1952, JOHN GARDINO, 2912 Newton Avenue, New York City.

October 1, 1952, WILLIAM J. GAĞHAN, 1694 Story Avenue, Bronx, New York.

September 3, 1952, a letter from LESLIE L. BIFFLE (United States Senate) to Superintendent HUMPHREY at Lewisburg asking that consideration be given to WALTER EBEL for subsequent visit. This was denied. (EBEL is representative of Hearst Newspaper.)

On August 19, 1952, Reverend ANDRE PENACHIO of 205 East 82nd Street, New York City, was granted a special visit permit. When prison officials questioned COSTELLO regarding the above visit he declined to comment, stating that the only thing he knew about the above named individual was that his last name began with a "P". Prison officials assumed the Reverend was close to COSTELLO's wife rather than FRANK COSTELLO himself.

The records of T-8 reflect that subject was admitted to the United States Penitentiary at Atlanta, Georgia, on October 10, 1952. Mrs. FRANK COSTELLO, wife; GEORGE WOLF, attorney; EDDIE COSTELLO, brother; and JOE DELANEY attorney, were approved as subject's correspondents list. Mail was returned to the sender since same were not on correspondents list while subject was incarcerated at Federal Penitentiary, Atlanta, Georgia, as follows:

November 4, 1952, Mrs. F. MACERATO, 49-17 Eastern Street, New Orleans, Louisiana.

November 5, 1952, EDDIE COSTELLO, 21-40 21st Street, New York City.

November 5, 1952, DUDLEY GEIGERMAN, 2637 Dreux, New Orleans, Louisiana.

November 17, 1952, Mrs. JANET W. JAMISON, 1112 Crest Lane, Lancaster, Pennsylvania.

November 21, 1952, Mr. J. J. KELLEY, New York City Athletic Club, 180 Central Park West, New York City.

November 28, 1952, WALTER M. EBEL, Director of News and Views, Radio Station KWFC, Hot Springs, Arkansas.

A notation in these records indicates the following:

"Bail - MORRIS ERNEST, 285 Madison Avenue, New York City - Lawyer."

The records of T-8 reflect that the subject was received at the Federal Correctional Institution, Milan, Michigan, on December 26, 1952, from the United States Penitentiary, Atlanta, Georgia. He was discharged from the Federal Correctional Institution at Milan, Michigan, on October 29, 1953. While incarcerated at the institution, his correspondents were:

Mr. GEORGE WOLF, 509 Madison Avenue, New York City - Attorney, mail in - 16 letters, mail out - one letter.

LORETTA COSTELLO - wife, 115 Central Park West, New York City, mail in - 60, mail out - 11.

JOE DELANEY, Empire State Building, New York City, tax expert, mail in - 6, mail out - 11.

Mr. MOSERL KOYE, 404 East 55th Street, New York City - Attorney, no mail.

On the approved visitor list while at this institution, the following were indicated:

ETWARD COSTELLO - brother, age 72, Long Island City, New York.

MAY MARCELLINA - sister, age 64, New Orleans, Louisiana.

LORETTA COSTELLO - wife, age 53, 115 Central Park, New York City; MOSES L. KOVE - Attorney.

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Dates of visits by LORETTA COSTELLO were indicated as:

January 7, 1953; February 4, 1953; March 4, 1953; April 1, 1953; June 17, 1953; July 1, 1953; August 5, 1953; September 2, 1953; October 1, 1953; October 28, 1953.

Dates of visits of GEORGE WOLF were listed as follows:

January 19, 1953; March 5, 1953; April 13, 1953; June 12, 1953; July 13, 1953; September 11, 1953; October 15, 1953.

Dates of visits of MOSES L. KOVE were indicated as follows:

August 26, 1953; October 15, 1953.

Dates of visits of Mr. DELANEY were as follows:

February 13, 1953; March 5, 1953; April 17, 1953; June 12, 1953; July 13, 1953; August 6, 1953; September 11, 1953; October 15, 1953.

A notation in subject's file while at this institution indicated that an unidentified individual called long distance attempting to speak to subject and was denied. This individual gave instructions to the institution for subject to call 13F5, Minocqua, Wisconsin, and ask for "BOBBY" and that instant call was urgent. No other notations were located concerning instant call and records of T-8 reflect that COSTELLO had no known associates while incarcerated at the Federal Correctional Institution at Milan, Michigan.

According to the New York "Daily Mirror" of April 7, 1954, the United States Government opened its income tax case against COSTELLO on April 6, 1954, charging COSTELLO with the evasion of \$73,437.in income tax during the years 1946 - 1949.



In his opening statements, Assistant United States Attorney FLOYD MAC MAHON related that the Government had scheduled a large number of witnesses including notorious underworld characters, which would prove the Government's charges that COSTELLO's expenditures during the years 1946 through 1949, were far in excess of the amount he returned as income during these years. MAC MAHON explained to the jury that the Government needed a base year upon which to check COSTELLO's net worth and went back to its investigation in 1937, when COSTELLO had stated under oath that he was worth some \$40,000.

MAC MAHON revealed that a "net worth and expenditure check had been made from 1937 through 1949 and that it was upon this check that the Government was basing prosecution.

The following article appeared in the New York "Herald Tribune" of May 14, 1954:

"FRANK COSTELLO was convicted last night on three of four counts of evading federal income tax. He will be sentenced Monday. The maximum penalty is five years in prison and a \$10,000 fine of each count. The jury of seven men and five women deliberated eight hours, ten minutes in the United States District Court, before returning a verdict at 9:35 p.m. that the sixty-one year old gambler was guilty of underpayment of taxes in 1947, 1948 and 1949.

"The government had offered evidence that the total evasion in four years was \$52,239 although the indictment had charged a total of \$73,437. The jury found COSTELLO innocent on the first count involving his 1946 return in which the disparity charge was \$8,338 paid and \$13,224 due. COSTELLO did not testify in the trial which began April 5.

"Judge JOHN F. X. MC GOHEY continued the defendant in \$5,000 bail until 11:00 am today when it will be raised to \$25,000, the maximum requested by LEO C. FENNELLY, Chief Defense Council. LLOYD F. MAC MAHON, Chief Assistant

United States Attorney had suggested \$50,000, but conceded under questioning by the judge that he had no evidence that COSTELLO might not be available for sentencing.

"Mr. FENNELLY announced that he will appeal the verdict. Pending the outcome of the appeal, COSTELLO would be limited in his freedom to the Southern District of New York, except for travel to and from his home in Sands Point, Long Island.

"The jury got the case at 11:25 a.m. after a forty minute charge by Judge MC GOHEY which COSTELLO termed eminently fair..."

On May 17, 1954, COSTELLO appeared before the Honorable Judge JOHN F. X. MC GOHEY, Southern District of New York, where he received a sentence of five years plus \$10,000 fine on each of counts two, three and four in the indictment. Judge MC GOHEY indicated that the five year sentences were to run concurrently and that in addition to the \$30,000 total fine, COSTELLO was immediately committed to the Federal Detention Headquarters until payment of fines and a motion for bond pending appeal was denied.

On August 25, 1954, the records of the Federal Detention Headquarters, West Street. New York, New York, Were reviewed by SA The records indicate that subject was incarcerated from May 17, 1954, to June 22, 1954, which was the period from the date of sentencing until COSTELLO was released by Court order on \$50,000 bail, pending appeal. During his incarceration, subject's only authorized correspondent was his wife, LORETTA COSTELLO, 115 Central Park West, New York City, and the records indicate that she had also visited him on numerous occasions.

Subject's only other visitor, other than legal counsel, was one J. O'CONNELL, Tax Consultant, who saw subject on June 1 and June 13, 1954.



Subject's attorney of record was shown as LEO C. FINNELLY, 48 Wall Street, and JOSEPH LEARY DELANEY, 580 Fifth Avenue, New York City.

On May 25, 1954, subject signed a statement indicating that he did not desire his sentence to commence running during his incarceration pending appeal.

The records indicate that when subject entered the Federal Detention Headquarters, he deposited the sum of \$313.40 of which there remained \$289.40 at the time of his release on June 22, 1954. These records further indicate that on May 24, 1954, Reverend ANDRE PERACHIO, St. Thomas Liberal Catholic Church, 147 East 144th Street, requested permission to visit subject, claiming long friendship with the COSTELLO family. This permission to visit was denied by Warden E. E. THOMPSON.

On June 13, 1954, a supervised callwas made by subject to his wife at home telephone number TR 4-2325. Background data concerning subject maintained in the files of this institution indicate the subject was at that time 61 years of age, was married, was retired, had five years education, was born in Calabria, Italy, was a United States citizen and resided at 115 Central Park West, New York City.

The "New York Daily Mirror" of April 6, 1955, reported that gambler FRANK COSTELLO lost his fight to beat a five-year rap for income tax evasion, when the United States Court of Appeals unanimously unheld his conviction during May, 1955, but reduced COSTELLO's fine from \$30,000 to \$20,000. It indicated that this review was made of COSTELLO's conviction during May, 1955, for evading payment of \$39,015 in income taxes for the years 1947 through 1949.

The article indicated that the court pointed out that the prosecution built its case upon what was known as "net worth method". The court stated that it could not be doubted that "a man, having no resources in loans, gifts or inheritances, could have spent what COSTELLO did in the indictment years unless it was out of his income or his wife's, or unless he had a cash reserve accumulated from past years."

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The court opinion stated that evidence indicated that COSTELLO received \$30,000 for keeping bookmakers away from a race track for two years and that he had substantial interest in slot machines and juke boxes, and gambled on horses, cars, and fights.

It was pointed out that the court dealing with the conviction for evasion during 1946, was reversed as the evidence presented to the jury as to COSTELLO's net worth in that year had not been substantiated by the facts. This, however, while reducing the fine in the amount of \$10,000, did not effect the present sentence of five years.

The "New York Times" of March 6, 1956, reflected that on March 5, 1956, the United States Supreme Court upheld the conviction of FRANK COSTELLO on his income tax evasion charges. The article reflected that Justice HUGO L. BLACK delivered the seven to nothing decision and that Justices TOM C. CLARK and JOHN M. HARLAN disqualified themselves.

The "New York Daily News," for May 8, 1956, reflected that on May 7, 1956, Federal Judge JOHN F.X. MC COHEY ordered COSTELLO to surrender by 5:00 p.m., May 14, 1956, to begin serving his five year sentence for income tax evasion.

The article noted that COSTELLO had offered to remove himself permanently to his native Italy if "Uncle Sam would suspend or lighten his sentence and not force him to stand denaturalization proceedings."

MC GOHEY also denied COSTELLO an additional thirty days to wind up his affairs. The article noted that COSTELLO was suffering from cancer, namely "Melanoma of the left temple as well as from a ducdenal ulcer." This information was brought to the Court's attention through the affidavit of Doctor GERALD F. O'BRIEN of 58 East 66th Street, New York City. According to Dr. O'BRIEN, melanoma is "notoriously one of the most malignant and fatal forms of cancer." The Court held that the Bureau of Prisons medical facilities were capable of handling COSTELLO's illness.

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On May 14, 1956, Chief Deputy United States Marshal Southern District of New York, advised SA that COSTELLO had surrendered at 4:00 p.m. on that date for commencement of a five year income tax evasion sentence.

The "New York Daily News." on May 16, 1956, reflected that on May 15, 1956, COSTELLO, through his attorney, had filed a motion in Federal Court to have his five year sentence set aside on the grounds the term exceeded the one-year maximum prescribed by Congress for tax evasion.

The "New York Herald Tribune" of August 23, 1956, reflected that Judge JOHN F. X. MC GOHEY ruled that COSTELLO's motion was without basis and denied the motion.

On May 17, 1956, the Miami Office advised that Assistant United States Attorney E. DAVID ROSEN had advised that he was filing a petition in United States District Court, Miami, Florida, to permit the Internal Revenue Ecrvice to break into the safety deposit box maintained by COSTELLO at the First National Bank, Hollywood, Florida, in the name of his wife, LORETTA B. COSTELLO. ROSEN advised that a lien had been on the box since 1953, and the petition will call for entrance in attempt to verify \$98,000.60 in Federal taxes due for the year 1943.

By letter dated May 28, 1956, the Miami office advised that a hearing had been set for June 6, 1956, for the bank to show case why COSTELLO's safety deposit box should not be opened. By letter dated July 24, 1956, the Miami office advised that on July 13, 1956, Assistant United States Attorney E. DAVID ROSEN advised SA that an order was given, June 6, 1956, authorizing the Internal Revenue Service to enter the safety deposit box.

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Mr. ROSEN advised that the box was entered on July 3, 1956, and was found to contain \$1,002.00 of ten, one-hundred dollar bills and two, one-dollar bills. It also contained a certificate of deposit, number 18789 reflecting a deposit had been made in the Corn Exchange Bank, New York City. No details regarding this deposit, such as name of the depositor, or the identity of the account, were known to Mr. ROSEN.

The "New York Herald Tribune" of December 18, 1956, reflects that COSTELLO filed a new appeal in United States District Court in an attempt to get his 1954 conviction for income tax evasion set aside on the basis that alleged wiretaps were the basis of evidence presented against him.

On March 4, 1957, Assistant United States
Attorney ARTHUR H. CHRISTY. Southern District of New York, advised SA that he is handling
COSTELLO's current appeal to set aside income tax evasion.

CHRISTY advised that the Supreme Court of the United States had granted cartiorari and that the hearing would be scheduled for March, 1957. He advised that COSTELLO's argument was based on the fact that New York State and the Federal Government both had public hearings, at which time COSTELLO and other hoodlums were called as witnesses. CHRISTY identified the federal hearings as the Congressional Investigation of which Senator KEFAUVER was chairman, and that the New York State hearing was one held by the New York State Anti-Crime Commission. He stated that itwes COSTELLO's contention that much of the evidence produced in these two hearings, as well as the line of questioning of COSTELLO himself was predicated on wiretap information available to the two committees. According to CHRISTY. COSTELLO contends that the government's tax case as to his earnings and expenditures wasbased in part upon evidence set forth at the two hearings. It was COSTELLO's contention that since the evidence ultimatelygoes back to wiretap information, conviction should be reversed. CHRISTY advised that it washis belief that COSTELLO's line of argument was completely untenable.

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The "New York World Telegram and Sun" of January 28, 1957, reflected that the United States Supreme Court and granted COSTELLO a hearing on his appeal in which he contends his income tax sentence was illegal since he was sentenced under the wrong section of the code.

The "New York Journal American" of March 11, 1957, reflected that COSTELLO had been ordered released on bail by the United States Supreme Court, pending his appeal on the above point. The court set bail at \$25,000.00 and ordered that bail be perfected before the United States District Court, Southern District of New York.

The "New York Daily News" of March 12, 1957, reflects that COSTELLO made \$25,000.00 bail the previous day and was released from custody.

The "New York Times" of May 28, 1957, reflected that the United States Supreme Court affirmed the sentence received by COSTELLO in an income tax case.

The "New York Times" on June 15, 1957, reflected that at a hearing before Federal Judge MC GOHEY to set aside income tax evasion convictions, EDWARD BENNETT WILLIAMS, Attorney for COSTELLO, contended that the Government's evidence used to convict COSTELLO was obtained by the use of wire taps. The Government contended that no Federal agent had participated in any wire taps. In view of the fact that EDWARD BENNETT WILLIAMS represented a client who was to come to trial the following Monday at Washington, D.C., Judge MC GOHEY ruled that the COSTELLO hearing would go over to the fall term during which time COSTELLO continues on \$25,000.00 bail.

reviewed the files of docket number C141-9, maintained in the Clerk's Office of the United States District Court, Southern District of New York, on December 7, 1957, and the records reflect the following information:



On March 11, 1953, FRANK COSTELLO was indicted by the Federal Grand Jury in the Southern District of New York, for unlawful evasion of taxes in violation of Section 145 (b), Title 26, United States Code, attempt to defeat and evade income taxes for the years 1946, through 1949. At the time the indictment was filed in the United States District Court, Southern District of New York, on March 11, 1953, a bench warrant was issued by the Honorable GREGORY F. NOONAN. COSTELLO was at that time confined to the Federal Correctional Institution, Milan, Michigan, on a charge of contempt of congress.

On April 15, 1953, a writ of habaes corpus ad prosequendum was issued directing the warden of the Federal Correctional Institution, Milan, Michigan, to produce FRANK COSTELLO in the United States District Court, Southern District of New York, on April 23, 1953, to plead to the indictment and so that bail might be set.

On April 23, 1953, COSTELLO appeared in the United States District Court, Southern District of New York, before Honorable JOHN W. CLANCEY, United States District Judge and entered a plea of not guilty to the indictment with which charged. Bail was fixed in the amount of \$5,000. COSTELLO was returned to the Federal Correctional Institution, Milan, Michigan, in Ostody of the United States Marshal on May 28, 1953.

On December 7, 1953, the case was called for trial and stayed over until April 5, 1954. On April 5, 1954, the case was called for trial before Honorable JOHN F. X. MC GOHEY, United States District Judge, United States District Court, Southern District of New York. On May 13, 1954, the jury found COSTELLO guilty of counts 2, 3 and 4 of the four count indictment charging him with wilfully attempting to evade payment of income taxes for the years 1946, 1947, 1948 and 1949 and he was found not guilty on count number one.

On May 17, 1954, COSTELLO was sentenced by Honorable JOHN F. X. MC GOHEY to a term of five years on each of counts two, three and four to run concurrently and he was fined \$10,000, on each count and subject was ordered to pay the cost of prosecution.

On May 17, 1954, an appeal was made to the United States Court of Appeals for the Second Circuit to reverse the judgment imposed against COSTELLO. On May 17, 1954, motions for bail pending appeal were denied by Judge MC GOHEY. COSTELLO was confined to the Federal House of Detention, 427 West Street, New York City, on May 17, 1954.

On June 10, 1954, a further motion for bail pending appeal was denied by a full bench of the Court of Appeals for the Second Circuit.

On June 18, 1954, a further motion for bail pending appeal was granted by Honorable ROBERT H. JACKSON, Circuit Justice and FRANK COSTELLO was released on bail, \$50,000 surety bond on June 22, 1954.

On June 25, 1954, Honorable EDWARD H. CONGER, United States District Judge, extended bail limits for COSTELLO to include the Eastern District of New York.

On October 8, 1954, an appeal to the United States Court of Appeals was argued and on April 5, 1955, the Court of Appeals reversed OOSTELLO's conviction on count 2, but upheld counts three and four.

On June 30, 1955, Honorable LAWRENCE E. WALSH, United States District Judge extended bail limitations for COSTELLO to travel to New Orleans, Louisiana, for a period of approximately one month. OOSTELLO petitioned the United States C Supreme Court for a writ of certiofari, which was granted on October 10, 1955.

The Supreme Court on March 5, 1956, affirmed the judgment of the Court of Appeals and on April 23, 1956, denied subject spetition for rehearing.

On April 26, 1956, the Supreme Court judgment remanding the case to the United States District Court, Southern District of New York, was received and docketed.

On May 2, 1956, COSTELLO, in a petition to the United States District Court, Southern District of New York, stated that if the Government was willing to dismiss the present case against him involving income tax and the denaturalization proceedings instituted about October 22, 1952, he was willing to consent to denaturalization and thereafter leave the country.

On May 14, 1956, COSTELLO commenced serving the five year sentence imposed against him and was confined in the Federal House of Detention, New York City.

On March 11, 1957, COSTELLO was released on \$25,000 surety bond pursuant to the order of the United States Supreme Court, pending the hearing and determination of his appeal to the Supreme Court, which will be determined on the basis of a similar case involving the same question of law.

JOSEPH LEARY DELANEY and LEO C. FENNELLY, 350 Fifth Avenue, were listed as attorneys of record.

In an article of the "New York Daily News" of December 17, 1957, the following appeared:

"Frank Costello yesterday lost his long fight to beat a five year income tax rap by a variety of Constitutional arguments. Scene of the defeat was the courtroom of Federal Judge John F. X. McGohey -- and the veteran gambler faced the prospect of spending Christmas in jail.

"Chief Assistant U.'S. Attorney Arthur H. Christy, who opposed Costello's motion to set aside the conviction, announced that papers calling for his surrender were being served immediately.

"The government's notice is answerable for argument before Judge McGohey at 10:30 A.M. tomorrow, with surrender for Thursday. Costello's lawyers are expected to seek a stay pending possible appeal.

"Costello, who did ll months of the sentence, was sprung in March of last year when the U. S. Supreme Court ordered his release in \$25,000 bail, pending a review. On June 3, 1956, the court upheld his sentence, but he has remained free because of the motions before McGohey.

"The 66-year-old Costello, nailed for ducking \$28,532 in income taxes, claimed the government had illegally used wiretap evidence against him.

"Mc Gohey ruled the gambler had failed to show that 'any evidence adduced against him at the trial resulted from the interception by federal agents of any telephone conversation in which he participated.'

"His counsel had argued that there was 'knowing, conscious cooperation' between the Internal Revenue Bureau and District Attorney Hogan's office in acquiring wiretap data used in the trial.

"However, McGohey said Costello had failed to show that use of 'wiretap evidence was not known or could not have been discovered prior to the trial,' and Costello admitted knowing his wire had been tapped as early as 1943.

"'There is no rational basis for believing he is so naive as to have supposed that the practice which then proved so fruitful for the state investigation was discontinued,' the judge said.

"'Indeed, the transcriptions which he put in evidence here of his conversations after 1943 show unmistakably that he suspected they were being intercepted.'

"The defense had protested that the Treasury Department had scrutinized income tax returns of 150 prospective jurors. McGohey found this 'expressly authorized' by the Code of Federal Regulations and added:

"'Since the inspected returns were those of others, Costello has no standing to complain about a violation, if there was any, of their rights.'

"McGohey found no indication that any talesman had been under government surveillance before or during the trial. He also denied that a 'watch' on Costello's mail had violated any of Costello's rights." 67C

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The "New York World Telegram and Sun", on September 10, 1952, indicated that Attorney General JAMES P. MC GRANERY had decided to institute denaturalization proceedings against COSTELLO. The article further indicated that denaturalization proceedings would be based on the fact that COSTELLO concealed the fact that under the alias of FRANK SAVERIO, he had been convicted of carrying a concealed weapon, and had been sentenced to a year in jail. The article further continued that if COSTELLO obtained his citizenship under false pretences, his citizenship should be immediately revoked, and he should be deported.

The October 28, 1954, edition of the "New York Herald Tribune" contained an article indicating that in a pre-trial deposition preliminary to the deportation hearing of FRANK COSTELLO, the government sought answers to questions dealing with COSTELLO's activities prior to 1925.

COSTELLO contended that if he answered these questions he might incriminate himself and cited the Fifth Amendment. The article indicated that on October 19, 1954, Unted States Federal Judge JOHN W. CLANCY had reserved opinion on a government motion to force COSTELLO to answer these questions.

The "New York Daily News" of November 2, 1954, indicated that Federal Judge JOHN W. CLANCY ruled on November 1, 1954, that COSTELLO could not refuse to answer questions involving his activities of more that a quarter of a century ago on the grounds of self-incrimination, inasmuch as crimes committed in 1925 or earlier would have prosecution outlawed under the Statute of Limitations.

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The November 10, 1954 issue of the "New York Daily News" indicated that on November 9, 1954, the United States Government moved in Federal Court for the immediate denaturalization of FRANK COSTELLO. A hearing was scheduled on the motion before Judge JOHN F.X. MC GOHEY, and the government noted that in spite of a court order directing COSTELLO to answer questions concerning his activity prior to 1925, COSTELLO had persisted in refusing to answer any questions except to give his name in a pre-trial hearing on the denaturalization action.

The November 17, 1954, edition of "Newsday" reflected that JACK WASSERMAN, COSTELLO's attorney had requested Judge JOHN F.X. MC GOHEY to find COSTELLO guilty of contempt and fine him \$1,000 with a stay of execution pending appeal.

The article indicated that WASSERMAN had filed an affidavit by COSTELLO, stating that COSTELLO would be willing to answer the questions the government aske if the Court of Appeals upholds the contempt citation.

The late city edition of the "New York Times", dated December 2, 1954, indicated that Judge JOHN F.X.. MC GOHEY dismissed a government motion calling for the immediate denaturalization of FRANK COSTELLO.

The article indicated that Judge MC GOHEY held that loss of citizenship was too severe a penalty for COSTELLO's refusal on constitutional grounds to answer questions at a pre-trial denaturalization hearing. The article indicated that Judge MC GOHEY fined COSTELLO \$5,000.00 for disobeying a court directive to answer the pre-trial questions and gave the defense five days in which to file an appeal on the constitutional points.



The "New York Daily News" of May 11, 1955, reflected that the United States Court of Appeals unanimously affirmed a \$500 fine imposed on FRANK COSTELLO for contempt in refusing to answer pre-trial questions in a suit to denaturalize him.

The "New York Daily News" of December 28, 1955, reflected that COSTELLO was ordered by the Federal Court to answer questions concerning his activities in the early 1920's. The article reflected that COSTELLO was under questioning as part of pre-trial denaturalization proceedings against him and had balked at discussing occupations and old friends in the five years prior to 1925.

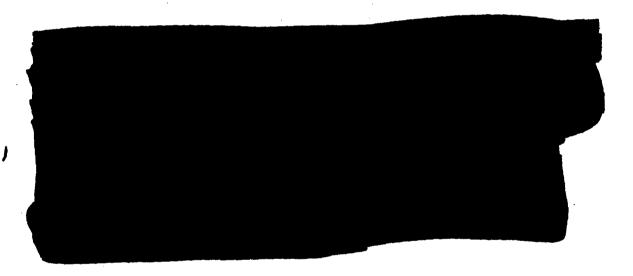
Assistant United States Attorney ALFRED P. O'HARA advised Federal Judge LAWRENCE E. WALSH that he was interested in knowing whether or not COSTELLO was engaged in bootlegging in the period between 1920, and 1925. O'HARA charged that COSTELLO illegally and fraudulently obtained naturalization in 1925, in that he swore to good moral character in the five years before then when he had in fact dealt in liquer and gambling and evaded federal and state tax.

The article noted that COSTELLO had claimed the Fifth Amendment indicating that answering these questions would be self-incrimination. The article indicated that Judge WALSH ordered COSTELLO to answer certain questions and the article noted further that about a year ago, COSTELLO had been fined \$300 for refusing to answer questions concerning his activities in this same period. It also indicated in the article that the United States Supreme Court had rejected COSTELLO's appeal from the previous contempt finding.

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The "New York Daily News" of January 5, 1956, reflected that FRANK COSTELLO had complied with Federal Court orders to answer questions concerning his activities during 1920 to 1925, but had balked temporarily when Assistant United States Attorney O'HARA began questioning him concerning his activities after 1925. The article indicated that after noon time luncheon with his attorneys, GEORGE WOLF and ALEXANDER BICKS, COSTELLO went back into the pre-trial examination room and testified until 4:15 p.m. The article indicated that COSTELLO's attorneys had informed the press that COSTELLO had "answered everything"



The "New York Daily Mirror" of May 22, 1956, reflected that a motion to dismiss denaturalization proceedings against COSTELLO had been denied by Federal Judge EDWARD DIMOCK.

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The "New York Daily News" of May 30, 1956, reflected an article indicating that the United States Court of Appeals refused to prohibit COSTELLO's trial and denaturalization proceedings.

The "New York Herald Tribune" of June 7, 1956, reflected that Federal Judge EDMUND L. PALMIERI granted an adjournment of his denaturalization proceedings trial until September 4, 1956. This adjournment was granted in order that COSTELLO might change attorney's.

The "New York Times" of August 21, 1956, revealed that COSTELLO, on August 20, 1956, filed a petition in Federal Court for a one month postponement of his denaturalization trial, and stated that he had an active coronary disease.

COSTELLO's attorney, EDWARD BENNETT WILLIAMS of Washington, stated that Doctor EUGENE FIERRO, the present physician at the Federal House of Detention, had recommended that COSTELLO be forthwith hospitalized.

On August 25, 1956, the "New York Times" reflected that on August 24, 1956, Federal Judge EDMUND L. PALMIERI had granted COSTELLO an adjournment of denaturalization case until September 24, 1956.

The "New York Daily News" of September 26, 1956, reflected that COSTELLO, while undergoing denaturalization proceedings in the Southern District of New York, raised two objections to the proceedings through his lawyer, EDWARD BENNETT WILLIAMS, Former Counsel to Senator JOSEPH R. MC CARTHY:



- 1. That the government affidavit in support of denaturalization proceedings was "polluted beyond salvation by the illicit use" of wire tap information.
- 2. That the government invaded COSTELLO's constitutional right to refuse to testify against himself by trying to call him as a prosecution witness. WILLIAMS made the point that while a denaturalization suit is a civil action, the United States Supreme Court has held that loss of citizenship is second only to loss of life in severity of punishment. This ruling, WILLIAMS said, justified resort to the Fifth Amendment, even in a civil action.

Judge EDMUND L. PALMIERI indicated that he was willing to hear the government's case over the first objection subject to a later ruling but put the trial over until 10:30 a.m., September 26, 1956, until he could look up the law on the second point.

The "New York Daily News" of September 27, 1956, reflected that on September 26, 1956, Judge PALMIERI overruled COSTELLO's objection to testifying against himself, at which time COSTELLO was called to the stand.

The article reflects that COSTELLO supported himself in apparent weakness against the clerk's desk and pleaded dramatically that he could not take the witness stand because of "terrific pain".



Judge PALMIERI promptly summoned a heart specialist who failed to bear out the contention of COSTELLO.

The "New York Daily News" of September 28, 1956, indicates that on the previous day, Judge PALMIERI repeatedly upheld objections by COSTELLO during the evidence being submitted by the government on the basis that this evidence was obtained from the use of wiretaps. It was noted that this evidence pertained to COSTELLO's bootlegging activities in 1925, and Assistant United States Attorney ALFRED P. O'HARA protested vigorously that the government had no knowledge that evidence on COSTELLO's purported bootlegging indictment in 1925, stemmed from wiretap information.

The "New York Journal American" of September 28, 1956, reflects that Judge PALMIERI on that date dismissed the government's denaturalization proceedings against COSTELLO without prejudice.

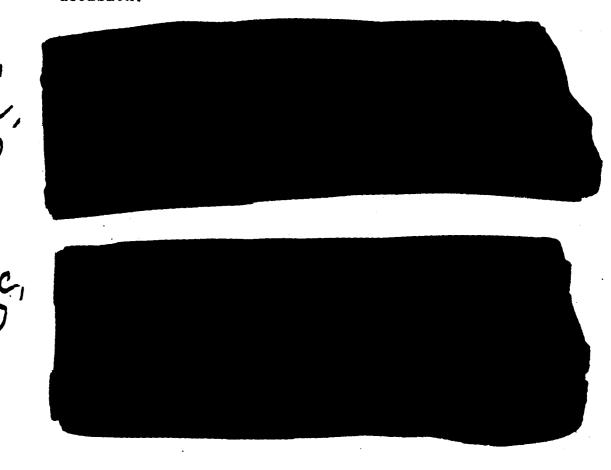
PALMIERI stated that he took this action because the government's case rested on documents containing references to wiretaps.

On September 28, 1956, Assistant United States Attorney ARTHUR H. CHRISTY advised SA that Judge PALMIERI's ruling was in his opinion erroneous, inasmuch as the purported wiretap activity had taken place in 1925, long prior to the present laws on the use of wiretap information.

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He stated that PALMIERI, therefore, was ruling inadmissable at this date, evidence which was legally obtained in 1925, and would have been admissable in 1925. He stated he felt that the United States Attorney's Office would probably appeal PALMIERI's decision.



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In view of the fact that subject, on April 3, 1956, was then appealing his income tax conviction, Assistant United States Attorney ALBERT P. O'HARA, Southern District of New York, was advised of the above information. O'HARA stated that during April, 1956, subject attempted to make an offer to leave the country voluntarily if he was not incarcerated on his income tax evasion conviction and the Denaturalization and Deportation proceedings were dropped. O'HARA advised, however, that this offer was refused. He offered the opinion that inasmuch as the Supreme Court had affirmed the tax conviction and since the subject only had left a petition for rehearing pending before the Supreme Court subject might possibly attempt to leave the United States to escape confinement. O'HARA noted that subject's \$50,000 bail did not permit him to leave the Southern or Eastern Districts of New York.

On December 13, 1957, SA
reviewed the records of Docket number C, 79-309 maintained
by the Clerk of the United States District Court,
Southern District of New York and the records reflected
the following information concerning subject's civil
action of denaturalization:

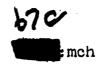


JACK WASSERMAN, Warner Building, Washington, D.C. and GEORGE WOLF, 509 Madison Avenue, New York City, are listed as the subject is estimated of record.

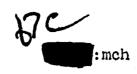
On or about October 22, 1952, a complaint was filed in United States District Court, Southern District of New York, charging that FRANK COSTELLO, prier to September 10, 1925, was a citizen of Italy.

- 2. That on May 1, 1925, FRANK COSTELLO filed a petition for naturalization in the United States District Court, Southern District of New York, and on September 10, 1925, was admitted to citizenship, certificate and naturalization number 2136470.
- 3. That the said naturalization was illegally procurred in that the said defendant, during the five year period preceeding the date of his application for naturalization, had not behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, as required by the provisions of the Nationality Act of 1906, in that,
- a. During said period, FRANK COSTELLO was in violation of the National Prohibition Act, United States Constitution, Amendment XVIII, in that he did sell, transport, import, deliver or possess intexicating liquor with no authorization; and

- b. During said period, FRANK COSTELLO did not file Federal and State Income Tax returns and failed to pay Federal and State income taxes in violation of law; and
- c. During said period, FRANK COSTELLO did conspire to bribe officers, agents and employees of the United States Coast Guard and Federal Prohibition Agents to induce them to fail in their duty of enforcing the National Prohibition Act; and
- d. During said period, FRANK COSTELLO was engaged in large scale gambling activities; and
- e. FRANK COSTELLO practiced deception upon the United States District Court for the Southern District of New York by false statements and concealment of facts in the proceedings which led to his naturalization as hereafter set forth in paragraph six and seven of this complaint.
- 4. That the said naturalization was illegally procured in that the defendant's oath of allegiance to the Constitution and oath that he would support and defend the Constitution and laws of the United States, as required by the provisions of the Nationality Act of 1906 was false and invalid in that it was taken, with mental reservations to violate and to continue to violate the 18th Article of Amendments of the United States Constitution, the National Prohibition Act, Federal and State Income Tax laws, and other state and federal laws.



- 5. That the said naturalization was illegally procured in that the two witnesses thereto, namely FRANK A. GOSS and HARRY C. SAUSSER, were not credible witnesses as required by the provisions of the Nationality Act of 1906, and, in FRANK COSTELLO's naturalization proceedings, testified falsely to this knowledge concerning the defendant's good moral character, attachment to the constitution, business occupation and concerning their own occupations.
- 6. That the said naturalization was fraudulently procured in that, in the proceedings which led to his naturalization, FRANK COSTELLO made fraudulent misrepresentations as follows:
- a. That his occupation was real estate, where as in fact his actual occupation was gambling and illicit traffic in liquor;
- b. That his witnesses knew FRANK COSTELLO was engaged in immeral, illegal, constitution violating activities.
- t. FRANK COSTELLO's witnesses had for their occupation real estate, when COSTELLO knew there principle occupation was illicit traffic of liquor.
- d. That FRANK COSTELLO had taken the oath to support and defend the Constitution and laws of the United States with intent to violate the oath as indicated in paragraph four of this complaint.



- e. That he was actively engaged in violating the Constitution as detailed in paragraph three of this complaint.
- f. Used named FRANK SAVERIO under which he was convicted in New York in 1915 for carrying a concealed weapon, claimed his only alias was FRANCISCO CASTIGLIA.
- g. That he had no prior arrests, where as in fact he had been arrested at least three times; May 8, 1908, assault and battery; November 19, 1912, assault and battery; March 12, 1915, carrying a concealed weapon.
- H. That he had no prior convictions, whereas in fact he was convicted in New York in 1915 for carrying a concealed weapon.
- 7. That the said naturalization was fraudulently procured in that the proceedings which led to his naturalization, the defendant fraudulently concealed the following facts:
- a. That he had prior arrests, those detailed in paragraph six (g) of this complaint.
- b. That has prior conviction for crime; that one detailed in paragraph six (b) of this complaint.



s. That at the time of his naturalization, and during the five years preceding his application for naturalization, he engaged in the illegal, immoral and anti-Constitutional acts detailed in paragraph three of the complaint.

8. Proceedings instituted under Section 738 (a), Tible8, United States Code, to cancel the Naturalization of FRANK COSTELLO on grounds of illegal procurement and fraudulent procurement.

A copy of the summons and a copy of the verified complaint were transmitted to the United States Marshal for the Northern District of Georgia, with the request that they be served personally upon FRANK COSTELLO.

On October 29, 1952, the above was personally served by United States Marshal. JOE B. HARRISON on FRANK COSTELLO at United States Penitentiary, Atlanta, Georgia.

On January 19, 1953, a motion was submitted by FRANK COSTELLO's attorney, JACK WASSERMAN, Warner Building, Washington, D.C., in United States District Court, Southern District of New York, to dismiss "the summons and complaint herein upon the grounds that the court had not acquired jurisdiction over the person of the defendant, and upon the grounds that the complaint did not state a cause of action".

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On March 3, 1953, an affidavit was submitted in opposition to the motion of FRANK COSTELLO's attorney as mentioned above. In this affidavit, Assistant United States Attorney NATHAN SKOLNIK states that the motion submitted by FRANK COSTELLO's attorney " is sham and frivolus; and that it is not brought in good faith, but only for the purpose of delaying this action".

On March 10, 1953, the motion submitted on behalf of FRANK COSTELLO was denied by Honorable SIDNEY SUGARMAN, United States District Judge, United States District Court, Southern District of New York.

On September 7, 1954, FRANK COSTELLO was orally examined by Assistant United States Attorney ALFRED P. O'HARA. FRANK COSTELLO refused, on the advice of his attorney, to answer all questions relating to his naturalization, his acquaintance with any person, whether he had ever been arrested, his occupation from the age of eighteen to the date of his naturalization, his income during the period prior to his naturalization, any premises or leases that he may have held at any time prior to his naturalization, and whether he ever used any name other than "FRANK COSTELLO" prior to the date of his naturalization.

On December 10, 1954, Honorable JOHN F. X. MC GOHEY., United States District Judge, United States District Court, Southern District of New York, found FRANK COSTELLO in contempt and ordered him to pay a fine of \$500.00.



An appeal was made to the United States Court of Appeals, Second Circuit, and was affirmed on May 10, 1955.

On October 10, 1955, a petition for certicari to the Supreme Court was denied.

On October 23, 1956, Honorable EDMUND J. PALMIERI, United States District Judge, United States District Court, Southern District of New York, during the course of the trial, found that the government's case permeated with the fruit of illegal wiretaps and held that it would not be feasible to attempt to separate the legal and illegal evidence so as to possibly save the case". Judge PALMIERI dismissed the complaint in this action without prejudice.

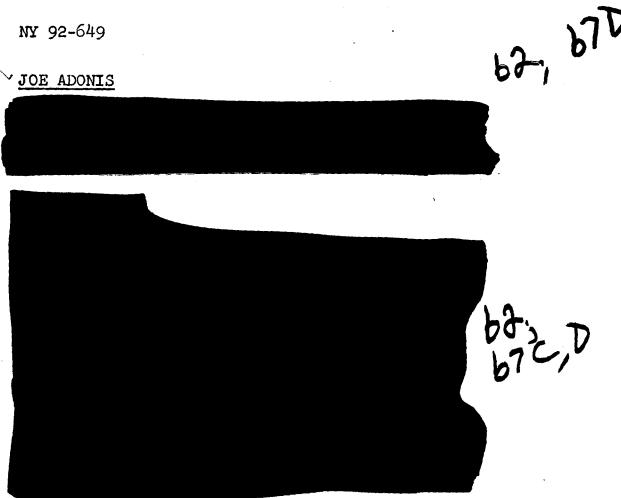
An appeal was made by the government to the United States Court of Appeals for Second Circuit.

On August 8, 1957, United States Court of Appeals for the Second Circuit reversed the decision of Judge PALMIERI and remanded the action to the United States District Court, Southern District of New York.

C. ASSOCIATES

A review of the files to date in the New York Office reflect voluminous references in regard to the subject and his reputed associates during the past years. Accordingly, the associates of subject, believed to have been more closely associated with him are listed as follows:





THOMAS A. AURELIO

In August, 1943, AURELIO was a New York City Magistrate who, after having received the Democratic nomination for Justice of the New York State Supreme Court, telephonically communicated with the subject according to various newspaper articles at that time.





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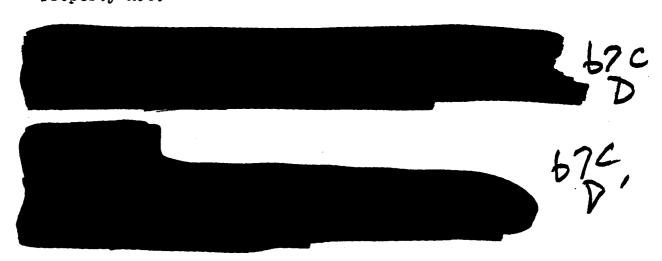
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ALBERT J. CONTENTO, with alias, Al Howard

CONTENTO was indicted as a co-defendant of subject on June 7, 1935, in the United States District Court, Southern District of New York, for violation of the Interstate Transportation of Stolen Property Act.



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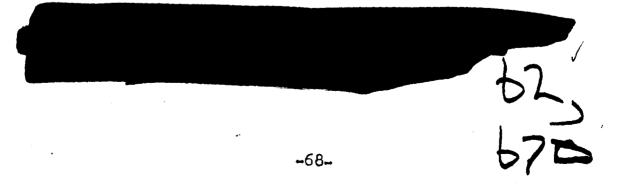
NY 92-649

EDWARD COSTELLO

COSTELLO of 21-40 21st Street, Astoria, Long Island, New York, brother of subject, was indicted with subject as a co-defendant by a Federal Grand Jury in New York City on November 18, 1926, on a charge of conspirecy to violate the Prohibition Amendment.



ALEXANDER DI BRIZZI



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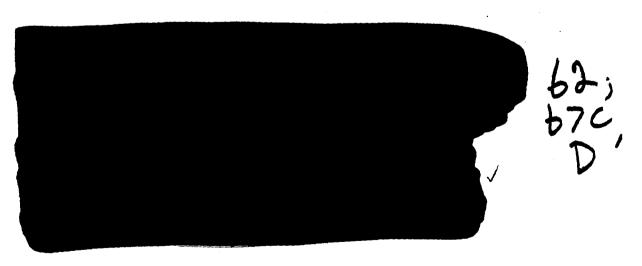
NY 92-649

It is noted that DI BRIZZI is currently under investigation by the New York Office as a top hoodlum.

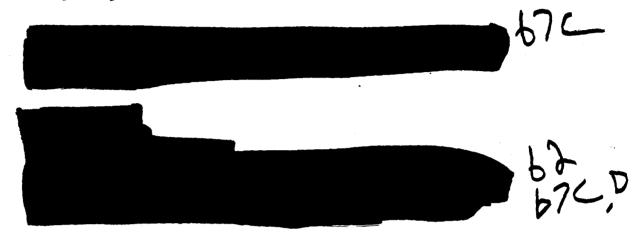


FRANK ERICKSON

Subject testified on March 13, 1951, before the United States Senate Crime Investigating Committee in New York City, that in connection with another business deal, he at two times borrowed \$25,000 from ERICKSON.



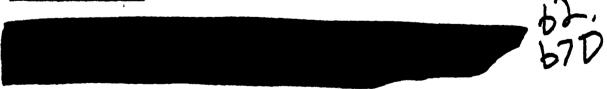




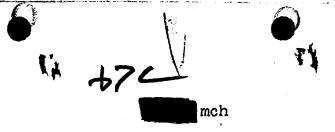
DUDLEY GEIGERMAN - HAROLD GEIGERMAN

Both DUDLEY GEIGERMAN and HAROLD GEIGERMAN possibly residing 2637 Dreux Avenue, New Orleans, Louisiana, brothers-in-law of subject, were indicted with subject on May 6, 1940, in the Federal Court of the Eastern District of Louisiana for conspiracy to violate Income Tax laws. They were reportedly associated or connected with the subject in his activities in New Orleans, Louisiana, particularly the Louisiana Mint Company.

WITO GENOVESE



It is noted that GENOVESE is currently under investigation by the Newark Office as a top hoodlum.



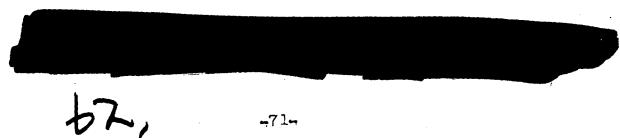


PHIL KASTEL

Subject testified before the United States Senate Crime Investigating Committee in New York City on March 13, 1951 that KASTEL was in partnership with him at the Beverly Club, New Orleans, Louisiana and the Louisiana Mint Company, New Orleans, Louisiana. While appearing before the same Committee, on March 14, 1951, subject admitted that he, at one time, endorsed a note for \$32,500 for KASTEL in order to assist him in obtaining the Whitley Distributorship in this country and subject, at the same time, denied that he ever received anything from KASTEL for endorsing this note.

PHILIP KENNEDY

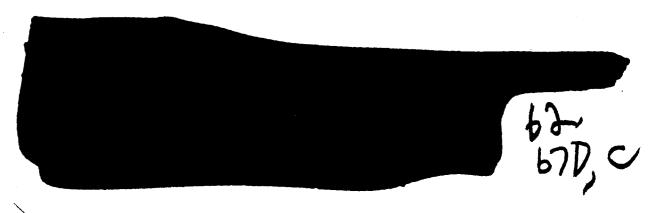
The "New York Post" of May 3, 1957, reported that just prior to the attempted killing of subject on May 2, 1957, he was accompanied from the Monsignore Restaurant, 61 East 55th Street, New York City, to his apartment housefaby PHILIP KENNEDY, of 520 West 76th Street, New York City, an executive or the Hartford Model Agency.



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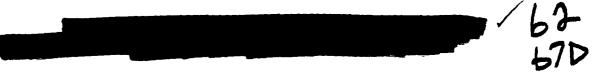
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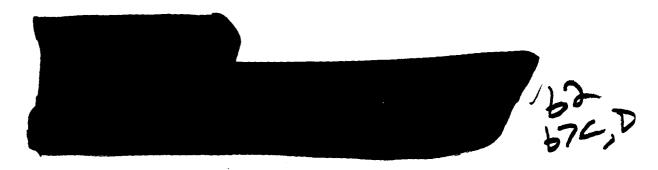


MEYER LANSKY

Reported one of co-owners with subject who reportedly was owner of Dog Race Track at Council Bluffs, Iowa, during 1946.

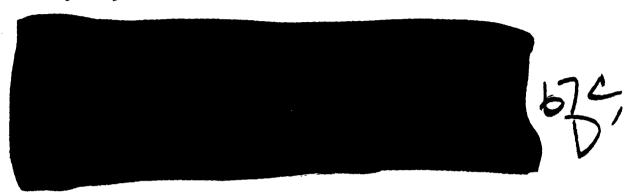


It is noted that LANSKY is currently under investigation by the New York Office as a top hooldum.



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GEORGE MORTON LEVY

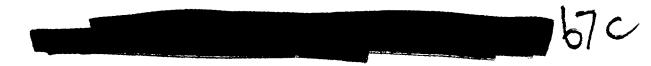
LEVY testified before the United States Senate Crime Investigating Committee at New York City on March 12, 1951, while he was President of Nassau Trotting Association and advised that he had contacted the subject in an attempt to free the Roosevelt Raceway at Westbury, Long Island, of bookmakers. He also admitted that approximately 15 to 18 years previously, he had handled an income tax matter for the subject in Washington, D.C.

FRANK LIVORSI

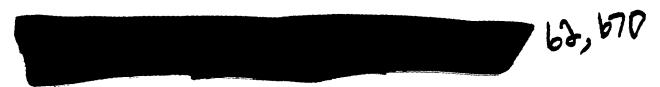
FRANK LIVORSI while testifying on August 22, 1950, before the Special Committee to Investigate Crime in Interstate Commerce in Washington, D.C., advised that he knew the subject, however, not too well. He had observed him at various affairs as weddings and nightclubs. He specifically observed the subject at the wedding of WILLIE MORRETTI'S daughter.

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THOMAS LUCHESE



It is noted that LUCHESE is currently under investigation by the New York Office as a top hocdlum.

/ CHARLES "LUCKY" INCIANO

The "New York Daily News" in an article on January 20, 1954, reflected that while LUCIANO was in New York State Prison serving time for "white slavery" subject "acknowledged as the most important gangster in the country" had free access to visit LUCIANO: IO is noted he has been deported to Italy.

OWNEY MADDEN



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NY 92-649

CARLOS MARCELLA

On March 13, 1951, the subject testified before the United States Senate Crime Investigating Committee, New York City, that MARCELLA was connected with the Beverly Club in New Orleans, Louisiana.

LIONEL MARKS

The "New York Herald Tribune" of April 30, 1951, advised that MARKS, an associate of the subject, offered to purchase the Village of Grand Bahama Island, Florida.



NICHOLAS MONTONE

MONTONE was indicted with subject on June 7, 1935, New York City, for violation of the Interstate Transportation of Stolen Property Act.





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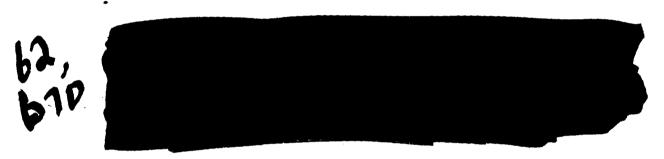
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CHARLES MURPHY

Subject testified on March 13, 1951, at New York City, before the United States Senate Crime Investigating Committee that MURPHY, lawyer and Certified Public Accountant, acted for him in New Orleans, Louisiana.

JOHNNY ODDO



It is noted that ODDO is currently under investigation by the New York Office as a top hoodlum.

RAY PATRIARCA





NICHOLAS ALFRED RATTENNI

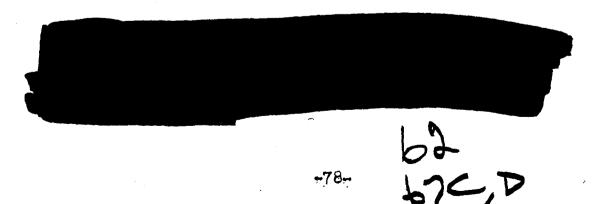
The "New York Journal American" in an article on July 9, 1957, advised that minutes after subject had entered the Emergency Ward of Roosevelt Hospital to have his bullet-creased scalp dressed, subject made a hurried telephone call to a powerful under-world figure, NIOK RATTENNI, an ex-convict and a socalled "garbage king of Westchester" in his Yonkers, New York, home.

It is noted that RATTENNI is currently under investigation by the New York Office as a top hoodlum.

FRED RICKERFORD

Subject during testimony before the United States Senate Crime Investigating Committee at New York City, on March 13, 1951, advised RICKERFORD was with him in partnership of the Beverly Club in New Orleans, Louisiana, as well as the Louisiana Mint Company, New Orleans, Louisiana.

JOHN ROSELLI







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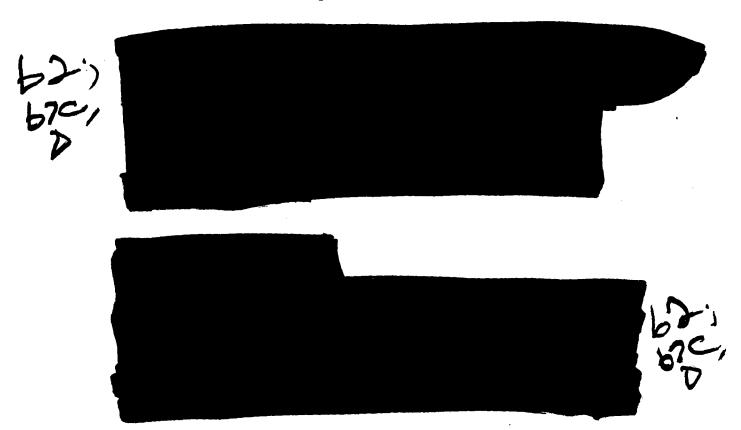
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IRVING FRANK SHERMAN

SHERMAN, while testifying before the United States Senate Crime Investigating Committee in New York City on August 15, 1951, stated that he returned to New York in 1940 and started the Phonovision of America Company, later changed to Phonofilm Distributing Company, of which FRANK ORSATTI was President. He stated that ORSATTI introduced him to subject on the theory that subject and his New Orleans partner, PHIL KASTEL, who had the COSTELLO slot machine concession, . might be interested in their products.

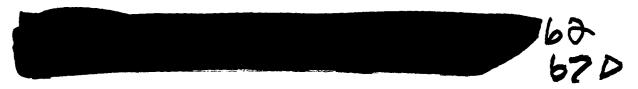


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JOE STRACCI



It is noted that STRACCI is currently under investigation by the New York Office as a top hoodlum.

V ANTHONY STRULLO, with alias Tony Bender



It is noted that STROLLO is currently under investigation by the New York Office as a top hoodlum.



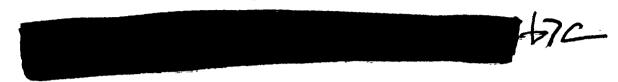


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Former Associates Now Deceased

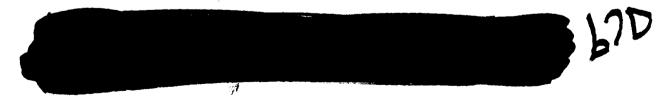
Subject, on March 13, 1951, before the United States Senate Crime Investigating Committee at New York City, admitted having been friendly with WILLIE MORETTI. It is noted that MORETTI is now deceased.

It is noted the late BENJAMIN "BUGS" SIEGEL, was an associate of the subject and both frequented the Copacabana Nightclub, New York City, during October, 1946.

It is also noted that ARNOLD ROTHSTEIN, a notorious gambler, who was murdered years ago, controlled the Rothmore Corporation which corporation obtained a judgement from subject on April 5, 1929, in the amount of \$25,272.00.

D. CRIMINAL ACTIVITIES

1. Illicit Alcohol



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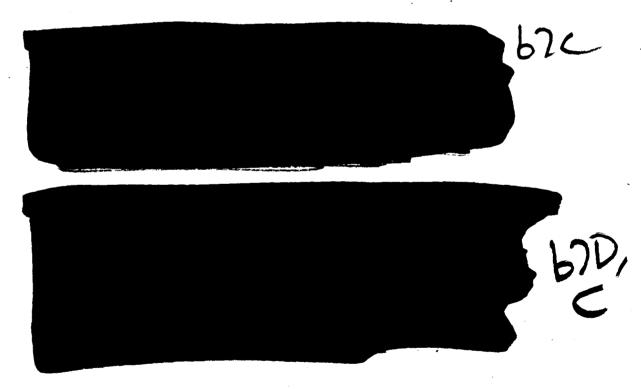


FRANK COSTELLO, 405 Lexington Avenue, New York, was the indeminetor on the bond which was issued on June 2, 1925, through the bonding company as S. G. HARNETT Agency, 150 Nassau Street, New York City. Subsequent to a forfeiture on the bond, the bonding company secured judgement against COSTELLO on September 2, 1942, and through subject's attorney, GEORGE WOLF, the judgement was satisfied on October 26, 1943, for \$1,000.

The records of the United States Attorney, Southern District of New York, reflect that subject was indicted by a Federal Grand Jury in New York City on November 18, 1926, on a charge of conspiracy to violate the Prohibition Amendment but was found not guilty on January 20, 1927.



The subject was one of many defendants in this action and the Equitable Surety Com: [77], 120 William Street, New York City, furnished bond for the subject at that time and his address was the Graystone Hotel, New York City. The trial in this conspiracy case resulted in the acquittal of nine minor defendants and disagreement as to six major defendants. Assistant United States Attorney WILLIAM E. STEVENSON, Southern District of New York, suspected some of the jurors may have been bribed which suspicion could not be proven.







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Assistant United States Attorney MARTIN KLEIN, Southern District of New York, was interviewed on June 8, 1939, advised that an investigation relative to the income tax and unpaid tax on all liquors of various prominent racketeers including subject was under investigation. He stated that he had information to the effect that during 1934, a shipment of unpaid tax liquor valued at one million dollars was received from Belgium and that this shipment was shared by COSTELLO together with BENJAMIN "BUGS" SIZGEL MEYER LANSKY, JOE ADONIS, DUTCH COLDBERG MORRIS WOLENSKY and BEN KUTLOW, all prominent racketeers in New York City at that time. The investigation was for the purpose of establishing a violation in connection with this shipment as well as violations of general income tax laws. However, no prosecutive action resulted from this investigation.

On March 13, 1951, the subject testified before the United States Senate Crime Investigating Committee at New York City. OOSTELLO admitted that he had been indicted in 1925, for conspiracy to smuggle liquer into the United States. RUDOLPH HALLEY, Chief Counsel, established that FRANK GOSS and HARRY SAUSSER were among the sixty-two co-defendants and that the case against COSTEDLO was later dismissed by the late Federal Judge FRANCIS A. WINSLOW.

It was then brought out that COSTELLO was admitted to citizenship on September 10, 1925. COSTELLO denied that he ever engaged in the business of selling, purchasing, transporting or processing alcoholic beverages within the United States prior to that time. COSTELLO admitted that he had been a bootlegger for some time and that he had operated from an office located at 405 Lexington Avenue, New York City.



Mr. HALLEY then read from a statement of interrogation of COSTELLO in 1947, before the New York State Liquor Authority, in which he testified that he had been engaged in bootlegging from 1923 to 1926. COSTELLO admitted that he had made this statement; however, stated that after thinking it over, to the best of his recollection, he had never engaged in the bootlegging business prior to 1926, or 1927.

2. Coin Operated Cambling Devices

The records of the United States Attorney's Office, Southern District of New York, reflected that from bootlegging, COSTELLO branched out into gambling, engaged in bookmaking and slot machines. He became known as the slot machine king of the United States. COSTELLO made the following admissions before a Federal Grand Jury for the Southern District of New York, during the year 1939.

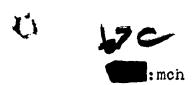
He operated five hundred slot machines in New York City from 1928, until 1933. In 1931, he and PHIL KASTEL, who has been the front man for COSTELLO in New Orleans, Louisiana, for many years, organized the Midtown Novelty Company. The offices of this company were located at 1860 Broadway, New York City.) COSTELLO explained the ownership of the Midtown Novelty Company by stating KASTEL had 100% interest and that he had a 50% interest in KASTEL's ownership. COSTELLO stated a number of operators of slot machines used the address 1860 Broadway as a sert of a clearing office, and quite a few of them paid toward the rent. COSTELLO said an individual named MANNIE KRAMER was a bookkeeper for the operators of

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these slot machines. The machines operated by the Midtown Novelty Company were purchased from the Mills Novelty Company of Chicago, Illinois. From the time of its organization, the Midtown Novelty Company was the subject of attention of the New York City Police Department, which seized many of the machines. The Midtown Novelty Company, through a suit brought by the Mills Novelty Company, secured an injuction in Federal Court in 1931, against seizing of their slot machines. This injunction remained in effect until (1933,) at which time, as a result of an appeal by the City of New York, in the United States Circuit Court of Appeals, the injunction was revoked, and the machines operated by the Midtown Novelty Company were seized by the New York City Police Department.) While these machines were in operation, the Midtown Novelty Company received 50% of the profits and the storekeeper received the other 50%. COSTELLO and KASTEL also used the name of the Tru-Mint Vending Company, under which name they had a number of machines stored on a premises at 247 and 251 West 116th Street, New York City.

After the Midtown Novelty Company was forced out of business, COSTELLO said he continued his gambling activities, becoming a betting commissioner, as he described it. (COSTELLO said that in 1933, he acquired an interest of 20% of the profits of the Piping Rock Nightclub at Saratoga Springs, New York, a gambling establishment) by lending \$5,000.00 to ALBERT J. CONTENTO alias AL HCWARD, the operator In 1934, according to COSTELLO, he was of the club. also associated with CONTENTO in running the Brook Club, a gambling establishment in Saratoga Springs. In connection with the Embassy Club, a gambling establishment at Miami, Florida, operated by CONTENTO, COSTELLO claimed to have made a loan of \$1,000.00 to CONTENTO but not to have any interest in the club.



(Subject stated) on March 13, 1951, before the United States Senate Crime Investigating Committee at New York City (that he had been invited to go into the slot machine business in New Orleans in 1935, by the late Governor HUEY LONG.) He stated that LONG had approached him to make a survey of New Orleans and determine how may locations could be had, since LONG wanted to pass legislation permitting slot machines, so that the state could obtain revenue for an old age pension. COSTELLO admitted that the useof slot machines at that time in Louisiana were illegal. COSTELLC then stated that he was "retired" from the slot machine business in New Orleans.

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Various accounts in New York City newspapers during the year 1944, reported that COSTELLO and JOE ABONIS, the well-known racketeer, ran the "Big Hall", a gambling establishment in Cliffside Park, New Jersey,) until the day before it was raided by representatives from the Borgen County, New Jersey Prosecutor's Office, and that the night before the raid, the paraphernalia was moved, indicating a "tip off" had been given in advance of the raid. It was further alleged that COSTELLO and ADONIS make Bergen County Headquarters for their gambling activities. COSTELLO and ADONIS were reportedly together at Duke's Restaurant, a notorious racketeer hangout in Palisades Park, New Jersey, around the time of this raid in 1944.





The "New York Times" of February 24, 1945, reflected that on February 23, 1945, the Police Commissioner, LOUIS J. VALENTINE of New York City, named FRANK CESTELLO as one of the three individuals in control of big time gambling in New York City, the other two being JOE ADONIS and FRANK ERICKSON.





The "New York Daily News" of November 8, 1953, contained an associated press article datelined November 7, 1953, at Atlanta, Georgia, which indicated an anti-slot machine crusader declared that interests controlled by New York gambler FRANK COSTELLO, were sneaking gambling devices into Atlanta in a million dollar deal. This charge was made November 6, 1953, by Solicitor JOHN I. KELLY, of Criminal Court, who was seeking a court order for destruction of 41 slot machines seized when they were released by Federal authorities.

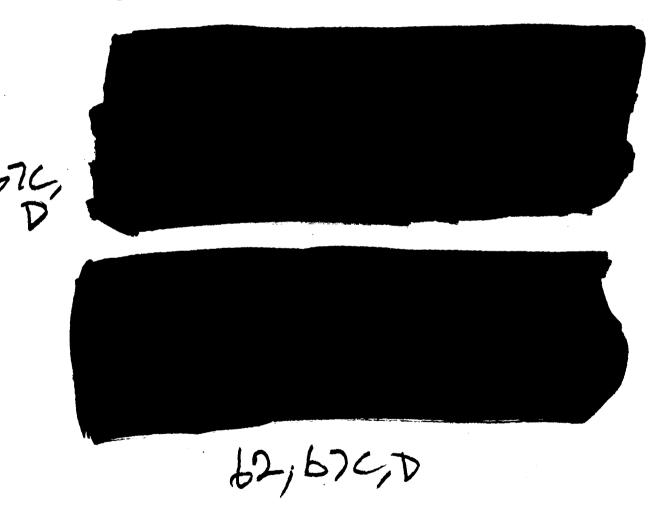
KELLY said a deal amounting to almost a million dollars, was recently completed by a firm he said was "fronting" for COSTELLO. KELLY charged that the transaction was the first step of a move to gain entry under the guise of a legal enterprise and then branch out into slot machines. KELLY charged that the next step should be an attempt to "fix" law enforcement officers. Only

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then, he added, would the underworld flow of gambling devices begin.

Information was received from the Atlanta Office on November 17, 1953, concerning allegations that COSTELLO was moving into Atlanta.





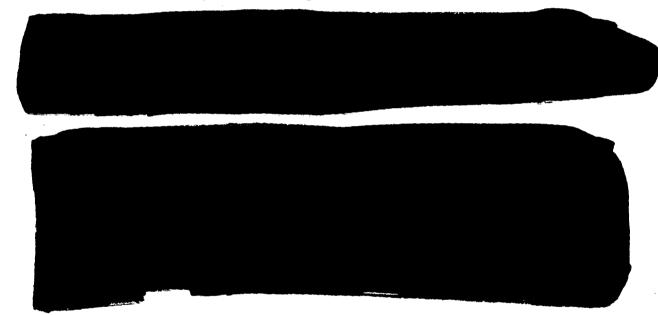
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3. Roulette and Dice Games

A New Orleans item of April 27, 1950, reported that FRANK COSTELLO, while testifying before the United States Senate Congressional Sub-Committee, admitted having operated five or six hundred slot machines in New Orleans at one time, but stated that he had not owned any slot machines for approximately five or six years. He testified that the only gambling he was linked with was a casino he operates just outside the New Orleans city limits, and gambling in the casino was limited to certain types, which were roulette and dice. He further testified that his New Orleans associate was KASTEL. He further stated that he had been invited to New Orleans by a public official, but did not identify this individual. He testified that he had never operated anywhere except New York and New Orleans.



4. Bookmaking

The "New York Herald Tribune" under date of June 19, 1944, and June 21, 1944, and the "New York Mirror" of June 24, 1944, reflect that on June 14, 1944, EDWARD WATERS, a taxicab driver, turned over to the New York City Police Department the sum of \$27,200.00, which had been left in his cab by a passenger he had driven from the New Yorker Hotel

to the Sherry Netherland Hotel in New York City, a short time prior to his finding of the money. On June 17, 1944, COSTELLO appeared at the New York City Police Department and laid claim to this money, and he was identified by the taxicab driver as the man who had left the money in his cab. COSTELLO at this time, called himself a real estate operator and said he was carrying the cash to close a deal. The New York City Police Department refused to return the money on the grounds that he had not proved the funds were obtained legally. It has been rumored that the sum of \$27,200.00 represented the receipts for a day from bookmakers employed by COSTELLO to take bets at the Aqueduct Race Track in New York City.

On March 12, 1951, GEORGE MORTON LEVY, who described himself as being a lawyer and president of the Nassau County Trotting Association, testified before the United States Senate Crime Investigating Committee in New York City.
Under questioning by the late RUDOLPH HALLEY, then Chief Counsel of the Committee, LEVY traced the organization of the corporation operating the Roosevelt Raceway at Westbury, Long Island, giving financial details and the names of its owners and employees.

LEVY testified that in 1946, the late BENJAMIN DOWNING, who was at that time Chairman of the New York State Harness Racing Commission, threatened to revoke the track's license unless bookmaking on the premises was stopped. In response to this, LEVY stated that he suggested to Commissioner DOWNING that possibly FRANK COSTELLO could keep the track free of bookmakers. LEVY stated that COSTELLO would be the one to contact to rid the track of bookmakers, since he understood that COSTELLO had a reputation of having influence with gamblers. He added that he did contact COSTELLO, and an agreement was made that COSTELLO would "see what he could do" about getting the bookmakers out of the track.

LEVY testified that he paid COSTELLO \$15,000.00 a year, or a total of \$60,000.00 from 1946 to 1949 inclusive. He added that he did not consider himself to be a close friend of COSTELLO; however, did admit that on occasions he had played golf with him, FRANK ERICKSON and JOSEPH SCHOENBAUM in 1944 or 1945. He described SCHOENBAUM as being an employee of the Bureau of Internal Revenue at that time.

He stated that the only other business he had ever had with COSTELLO was about fifteen or eighteen years ago, at which time, he, as an attorney, handled an income tax matter for COSTELLO in Washington, D. C. He recalled that he went to Washington to see some representative of some Bureau concerning this matter. He added that the only other business dealing he had with COSTELLO was about four or five years ago when COSTELLO purchased a home in Nassau County, at which time LEVY's law firm searched the title.

LEVY testified that shortly after he had talked with COSTELLO to aid him in getting rid of the gamblers, he noticed that the park was free of gamblers. He further testified that he had not paid COSTELLO the \$15,000.00 due him in 1950 in view of the fact that during the summer of 1949, when the Treasury Department made its routine examination of the books of the track for the years 1946 and 1947, they noted the payments which appeared on the books to COSTELLO, and the Treasury Department thought that it was against public policy, or not a necessary and deductible item under the tax laws and, therefore, refused to make the allowance.

The subject testified before the United States Senate Crime Investigating Committee at New York City on March 13, 1951. Subject admitted that he had received \$60,000.00 from GEORGE MORTON LEVY for assisting in getting the bookmakers out of Roosevelt Raceway. He stated that the only thing he did to earn this money was to spread propaganda around that bookmakers would be arrested if they appeared at the park.

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5. Gambling

It was indicated in an article of the "New York Journal American" of May 5, 1957, that gambling could have been a motive in the shooting of the subject since it came so soon after the ROBINSON - FULLMER fight. The article reported that mid-West gamblers had welshed on \$150,000.00 due the subject from a bet on the SUGAR RAY ROBINSON - GENE FULLMER middleweight title fight on the previous Wednesday night. According to this article, COSTELLO purportedly bet \$50,000.00 at 3 to 1 odds on ROBINSON to win the fifteen round bout in Chicago within ten rounds. The wager was with a syndicate of Indianapolis, Chicago and Milwaukee gamblers. As far as COSTELLO's winnings were concerned, it would be cheaper to "knock him off rather than pay him off." In the same article, it was stated that COSTELLO was under a 24 hour police guard.

6. Horse Parlor



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Interstate Transportation of Stolen Property

As already reported in this report under "Criminal Record," it is noted that on June 7, 1935, the subject was indicted by a Federal Grand Jury at New York City for violation of the Interstate Transportation of Stolen Property Act. It is further noted that the indictment as to COSTELLO was nol-prossed on June 3, 1937.

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17. Lobbying

The "New York Daily MIRROR:" on September 15, 1952, contained an article by DREW PEARSON, which indicated that FRANK COSTELLO had not been deported because he has friends in high places. The article stated that COSTELLO's friends in Congress have been revealed through a little black book carried by COSTELLO's Washington Lobbyist, MURRY OFF, who was actively working to defer the slot machine bill and was fighting all legislation which would hamper gambling.

PEARSON further stated that COSTELLO's lobbying tactics included entertaining certain congressmen at dinner and parties and that OFF, an ex-convict and former prison mate of JAKE GUZIK (well known Chicago hoodlum), occupied a suite at the Congressional Hotel where he held court for congressmen. OFF allegedly picked up bar tabs, loaned his telephone for long distance calls and threw parties every Friday.

18. Political Connections

On August 23, 1943, the Democratic Judicial Convention of the First Judicial District, comprising the counties of the Bronx and New York, nominated Magistrate THOMAS A. AURELIO as one of their candidates for Justice of the Supreme Court in that district. On the following day, the Republican Judicial Convention for that district, made a similar nomination of Magistrate AURELIO. Four days later, District Attorney FRANK S. HOGAN of New York County, publicly disclosed that on the morning after Magistrate AURELIO received the Democratic nomination, he telephoned FRANK COSTELLO on COSTELLO's private unlisted telephone. The principal part of this conversation was as follows:

AURELIO:

Good morning, FRANCESCO, how are you? And thanks for everything!



Congratulations! It went over perfect. When I tell you something is in the bag, you can rest assured.

AURELIO:

It was perfect. Right now I want to assure you of my loyalty for all you have done. It is undying.

COSTELLO:

I know, I'll see you soon.



AURELIO subsequently admitted the above conversation, but claimed he did not know that COSTELLO was engaged in illegal activities. Following the revelation that the Democratic nomination of AURELIO had been procured by COSTELLO, the committee on vacancies of both the Democratic and the Republican Parties declared the nomination vacant and attempted to nominate other candidates for the office. AURELIO then appealed to the courts, which upheld his legal right to remain on the ballot, and in November, 1943, AURELIO was elected to the position of Justice of the Supreme Court.

During the course of unsuccessful disbarment proceedings instituted against AURELIO, COSTELLO admitted he had helped AURELIO win the Democratic nomination for the Supreme Court, and also that he had assisted MICHAEL J. KENNEDY to win the leadership of Tammany. It is to be noted that KENNEDY has since been deposed as Tammany leader, replaced by EDWARD V. LOUGHLIN, and LOUGHLIN has been replaced by CARMINE DE SAPIO. However, it has been alleged by persons affiliated with Tammany that CLARENCE H. NEAL, JR., leader of the 20th Assembly District, and BERT STAND, Secretary of the Tammany Executive Committee, were the real rulers of Tammany Hall.



COSTELLO said he had influenced four Tammany district leaders, who were all old personal friends of his, to vote for MICHAEL J. KENNEDY after he had found his first choice, Representative JAMES H. FAY, was out of the running. These leaders, according to COSTELLO, were as follows: Dr. PAUL F. SARUBBI of the First Assembly District; JOHN DE SALVIO, better known as JIMMY KELLY, night club owner and leader of the Second Assembly District; ABRAHAM ROSENTHAL, leader of the Eighth Assembly District; and CLARENCE H. NEAL, JR., leader of the Twentieth Assembly District. COSTELLO stated he used his influence with these four leaders, with MICHAEL J. KENNEDY and with BERT STAND, Secretary of the Tammany Executive Committee, to secure the Supreme Court nomination of AURELIO.

COSTELLO also said he had a hand in other political maneuvers within Tammany Hall, beside those leading up to the election of KENNEDY and the nomination of AURELIO. COSTELLO advised that in connection with the obtaining of the nomination of AURELIO, he had invited AURELIO, KENNEDY, ROSENTHAL, KELLY, STAND, NEAL, and Surrogate ANTHONY P. SAVARESE, of Queens County, to a dinner at the Martinique Night Club on August 19, 1943, at which time AURELIO's nomination was discussed. It was also brought out that during the telephone conversation between AURELIO and COSTELLO, on August 24, 1943, that there was reference to JOSEPH LESCALZO, an Assistant District Attorney in Queens County. COSTELLO stated LESCALZO was anxious to be nominated for either County Judge or District Attorney. He said that at LESCALZO's request, he introduced him to KENNEDY. It is noted that AURELIO advised he and COSTELLO were first introduced by LESCALZO. With regard to Surrogate ANTHONY P. SAVARESE, mentioned above, it has been said that COSTELLO helped him in his campaign for the office of Surrogate.

It has been alleged that a greater number of Temmany district leaders than those named above were under direct or indirect COSTELLO influence, but these additional leaders have not been named.

It is noted that various accounts in New York City newspapers have reported this information relating to the subject's political connections.

It has been rumored that SAMUEL GREENBERG, a friend of Justice AURELIO and head of the Sam Greenberg Clothing Company, New York City, was the payoff man between COSTELLO and BERT STAND, Secretary of the Tammany Executive Committee, to bring about AURELIO's nomination, and that the amount was\$50,000.00 or \$75,000.00. GREENBERG has been a familiar figure on the fringe of local politics for many years. He was arrested on September 28, 1943, on a charge of income tax evasion, after he had been questioned about the relations between AURELIO and COSTELLO.

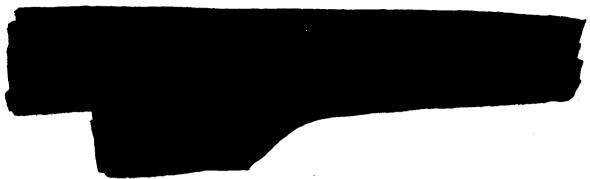
It was reported that COSTELLO was a friend of JAMES "JIMMY" HINES, Tammany politician who was convicted for protection, which he had furnished to DUTCH SCHULTZ and his gang.

Also, according to these newspaper accounts, COSTELLO stated he knew HENRY GOODMAN, former Magistrate of the City of New York, and now a practicing attorney. GOODMAN was reported to have performed various favors for COSTELLO.



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According to various newspaper accounts in New York City newspapers, exact dates not known, FRANK COSTELLO sponsored a dinner at the Copacabana Night Club, New York City, on January 24, 1949, which was alleged to be under control of COSTELLO. This dinner was for the benefit of the Salvation Army. COSTELLO had been appointed a Vice-Chairman of the Men's Division of a fund-raising campaign of the Salvation Army. It was reported in these newspapers that COSTELLO and his attorney, GEORGE WOLF, announced that one hundred and fifty persons, each contributed \$100.00 to attend this dinner. It was disclosed by the Salvation Army that COSTELLO had personally donated \$10,000.00 to the Salvation Army in advance of the dinner. Reporters and photographers were prevented from entering the dining room at the Copacabana Night Club to see who was attending the dinner; however, GEORGE WOLF gave out a partial list of guests.

Among the officials present at this dinner, according to the newspaper accounts, were HUGO ROGERS, the Borough President of Manhattan, and leader of Tammany Hall; Supreme Court Justice THOMAS AURELIO, referred to previously as having admitted COSTELLO's help in securing AURELIO's nomination for this judgeship; Supreme Court Justice MORRIS EDER; Supreme Court Justice ALGERNON I. NOVA; Supreme Court Justice ANTHONY J. DI GIOVANNA; Supreme Court Justice SAMUEL DI FALCO; County Judge THOMAS DOWNS; Special Sessions Justice JOSEPH V. LOSCALZO; City Court Justice LOUIS J. CAPOZZOLI; Commissioner of Elections CARMINE G. DE SAPIO; General Sessions Judge FRANK X. MANCUSO, Tammany

leader of the 16th Assembly District and Chairman of the Tammany Elections Committee, who resigned under fire from the General Sessions bench during the administration of Mayor JAMES J. WALKER in 1929, because of a bank scandal brought about by the maladministration of a bank in which he was a power at that time; CLARENCE NEAL, of the Tammany inner circle and open ally of COSTELLO, who had tried to arrange membership for COSTELLO in the National Democratic Club; Representative ARTHUR KLEIN, of the 19th Manhattan District; and JAMES E. BRANIGAN, President of the National Democratic Club.

Newspaper accounts also reflected that there were in attendance at this dinner members of the underworld from Chicago, Illinois; Cleveland, Ohio; Newark, New Jersey; and ew York City. Among those specifically known to have attended the dinner were PHILIP KASTEL, COSTELLO's partner in New Orleans, Louisiana; FRANK ERICKSON, the outstanding New York City gambler; and VITO GENOVESE, an outstanding New York City racketeer.

Various newspapers in New York City in January, 1949, reported that SAMUEL J. DI FALCO took office at that time as Justice of the Supreme Court of the State of New York and that DI FALCO immediately appointed as his secretary, P. VINCENT VIGGIANO, a brother-in-law of JOSEPH "Socks" LANZA, well-known New York City racketeer.

Regarding VIGGIANO, who was a resident of Manhattan's Lower East Side, it is reported that while Dr. PAUL SARUBBI was Tammany leader of the First Assembly District, VIGGIANO was something of a nonentity, but when SARUBBI died, COSTELLO attended his wake and was heard to say, "We ought to make the Duke (VIGGIANO) the leader." Consequently, VIGGIANO became the leader and was placed on the payroll of the Supreme Court.

According to various accounts in New York City newspapers, exact dates not known, Dr. RICHARD HOFFMANN has been

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ascertained to be COSTELLO's personal psychiatrist. According to these newspapers, Dr. HOFFMANN said COSTELLO had come to him in the early part of 1947, because he did not sleep well and his mind was troubled.

According to further newspaper accounts, in the early part of 1949, RICHARD HOFFMANN, JR., the son of COSTELLO's psychiatrist, was appointed secretary of the Department of Marine Navigation of the City of New York.

Various accounts in New York City newspapers, exact dates not known, indicated that in the early part of 1949, the name of Dr. CHARLES L. SINGER, a dentist, 677 West End Avenue, with offices at 1819 Broadway, New York City, and a member of the Tammany organization of the Second Assembly District, was submitted to the United States Senate as a nominee for Director of the United States Assay Office in New York City.

According to these newspapers, when it became apparent that Dr. SINGER was COSTELLO's dentist, his name was withdrawn by the White House.

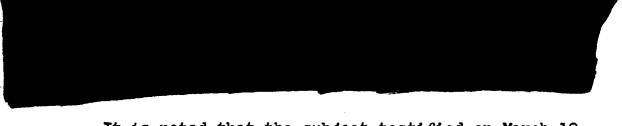
On April 2, 1951, FRANK COSTELLO was interviewed by WALTER WINCHELL, well-known correspondent, at Miami Beach, Florida.

COSTELLO told WINCHELL that the tingent of the Television Newsreel and other things such as cameras in the Court room, unnerved him, and that his conscience suffered considerably as a result. He told WINCHELL he was not a gangster; however, he added he could be quoted as saying he had not sold bibles all of his life. He claimed that his political influence was practically nil and his only interest in politics at one time, stemed from a "religious desire" to see Italian-Americans get a "better break" and the distribution of good political jobs in New York, where the heaviest Italian population was at that time.

He claimed that the only possible solution for curing

the unsavory municipal conditions revealed by the Crime Committee, was the legalization of gambling. He added that gambling could not be supressed no matter how many laws were nacted nor how many policemen tried to enforce them. He compared the gambling situation with the prohibition era and commented that gambling was a worse situation because more people gambled in some form than drink. COSTELLO refused to answer the question as to his underworld and explained, that particular question was involved in the contempt proceedings.

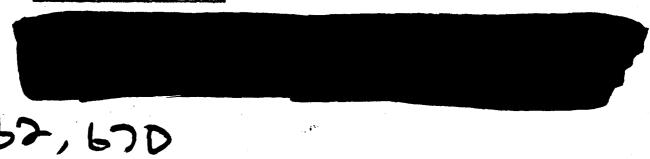
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It is noted that the subject testified on March 19, 1951, before the Senate Crime Investigative Committee in New York City that AL TOPLETZ, former Chief Clerk of the Board of Elections, was a good personal friend.

An article in the "Daily Mirror" of January 29, 1951, indicated that CARMINE DE SAPIO had admitted to retaining his right - hand man ALFRED TOPLETZ as Chief Clerk of the Board of Elections, but had been blocked by the Mayor's force.

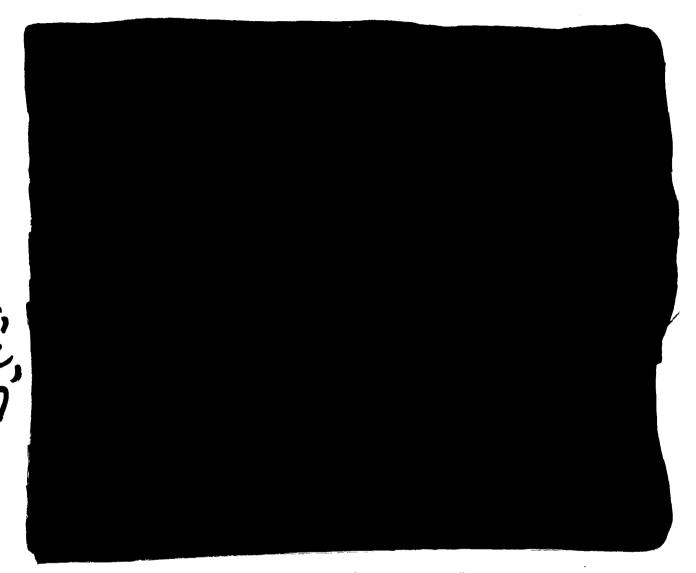
19. References to Syndicate Activities



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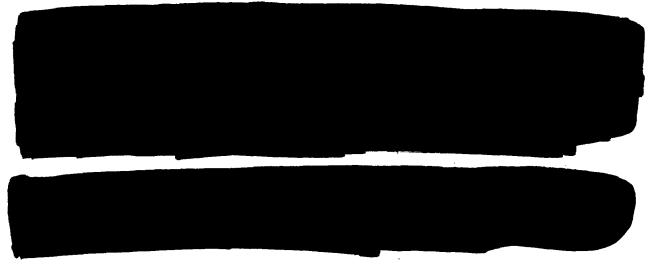


On March 19, 1951, the "Daily News" newspaper carried an editorial which concerned itself with COSTELLO's activities. The article asserted that crime was on a syndicated level, but stated we do not have criminal mobs pulling gun battles in the streets or bombing one anothers headquarters the way the CAPONES and their competitors used to do in Chicago.

The article stated that if organized crime were "rubbed out" hundreds of thousands of so called "little people" on the payrolls of many of the legitimate enterprises owned by racketeers would be out of jobs. It said that if the crime syndicate were wiped out, they would also wreck a majority of legitimate businesses.

The "New York Times" newspaper of October 8, 1952, quoted RUDOLPH HALLEY, President of the City Council of New York, as saying that THOMAS LUCHESE, with alias: "Three Finger Brown" had succeeded FRANK COSTELLO as the "political back of the organized crime syndicate."

The article further quoted HALLEY as saying that the time has come to say that he is the boy I mean who is wearing the mantle of COSTELLO, explaining that, although, LUCHESE had been a threat to COSTELLO for the political leadership of the crime syndicate "they had been kept together by the common cause."



The "New York World Telegram and Sun" newspaper on December 9, 1952, printed an article stating that the State Crime Commission, was hunting for VITO GENOVESE, ruthless

underworld dictator, in whose mind the article said, "lies the secret of the link between crime and politics in New York." The article concluded by stating that in 1949, Governor THOMAS E. DEWEY, publicly declared that GENOVESE, who was then interesting himself in the political aspirations of BILL O'DWYER, had supplanted FRANK COSTELLO as chief in the New York Underworld.

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Before GENOVESE left the United States, he was reported to have designated FRANK COSTELLO to be in charge of all the mobs in New York City, and to have designated TONY BENDER to be in charge of lower Westside mob which was GENOVESE's original gang.

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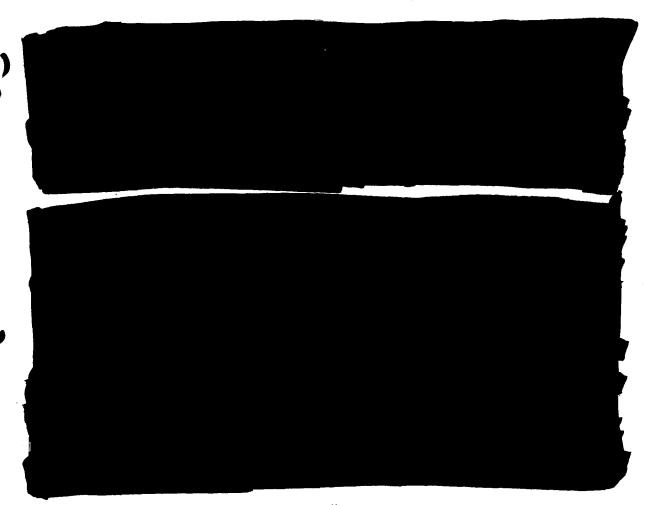
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The "New York Post" in an article of May 3, 1957, referred to COSTELLO as the "prime minister of the underworld."



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In an article of the "New York World Telegram and Sun" of May 10, 1957, the following was stated:

"An overstuffed gunman flunked his markmanship test outside Frank Costello's home last week but the shot heard 'round the underworld was just as effective as a fatal bullet.

"For all purposes that are practical in the shadowland of crime, the emperor is finished - doomed by fellow mobsters who want him out of the way. Costello, expert opinion holds, will never rise again.

"A man who once wielded almost limitless power, Costello today faces trouble on all sides. The law will hound him for the rest of his days and jail or deportation will be at the end of the road. He lives under the constant threat of death by cancer. But worst of all, the mob has turned on the boss.

"The king is dead.

"Actually, what happended last week when the errant gangster creased his scalp with a slug from a .38 was a public advertisement of the syndicate's feeling for Uncle Frank for the past several months. He had been marked for extinction from the moment he broke the underworld's code of silence by sharing some well-guarded secrets. This, of course, is the easiest possible way for a gangster to land on the obituary page.

"The rise and fall of frog-voiced Frank Costello is a story of a man of rare cunning who fought his way up from the littered streets of East Harlem to the throne of king of the underworld. Like all dictators, he had to fall. He couldn't retire into obscurity. A life of mediocrity would probably have been worse than death. He would have missed the smiles of the Waldorf barbers when he tipped them with \$5 bills. He would have missed the celebrity collectors competing to be seen with the emperor of the underworld.

"Costello had grown accustomed to power and the pleasures that go with it.

"Apart from trusted members of the crime syndicate, few people really know Costello or understand how he became one of the masterminds of a billion-dollar cartel of crime. Six years ago the U. S. Senate crime investigating committee tried in vain to elicit from him the hidden story behind the syndicate operation. Costello refused even to show his face on television during the hearings and all the public saw of him was his nervous, twitching hands.

"Costello talked for days but when the late Rudolph Halley, the chief counsel of Sen. Estes Kefauver's committee, asked him the payoff question: 'What is your net worth today?' Costello flatly refused to answer."

20. The Attempt on the Life of Subject

The "New York Daily News" of May 3, 1957, reflected that at approximately 11:00 p.m. the previous night, May 2, 1957, a gunman fired one shot which struck COSTELLO at the left ear, burrowed under the scalp, and part way around the back of his head, and emerged close to the right ear. Examination, however, showed the bullet had not pierced COSTELLO's skull. The gunman made his escape in a black Cadillac sedan driven by an accomplice. The above attack was made in the foyer of COSTELLO's residence at 115 Central Park West. COSTELLO had just alighted from a cab after coming home from a party in the plush East Side restaurant, The Monsignore, 61 East 55th Street. With him in the cab was WILLIAM KENNEDY, a theatrical agent.

The "New York Post" on May 8, 1957, contained an article reflecting that on May 7, 1957, COSTELLO had been brought before a New York County Grand Jury and had refused

to answer questions concerning his assault and particularly papers found by detectives in his coat shortly after the assault while COSTELLO was receiving emergency treatment.

The article reflected that General Sessions
Judge SHURMAN directed COSTELLO to answer questions before the
Grand Jury and after COSTELLO refused, sentenced COSTELLO
to thirty days in the workhouse.

One paper found on COSTELLO which was shown to him and which he was asked to explain contained the following:

Gross Casino Win as of 4/26/57 Casino win less markers Seat wins Markers	651284.00 434695.00 62844.00 62846 153745.00 651284.00 651324
Mike @ \$150 per week Jake @ \$100 per week C Arthur Murray Dancer. Notre Dame Glee Club tickets City of Hope tickets bought by Colahan from table	600.00 400.00 400.00 100.00 125.00 Mickey 26.00 1651.00
L = 30000.00 H = 9000.00	Ave. slots 2618 Ave. (illegible) 18114 20732

According to the "New York Journal American" of July 8, 1957, there was also found in COSTELLO's pocket the night he was shot a memorandum with the notation:

"Re S. F. Oshinski Hollis 5-748"

There was also on the memorandum the name "AL WEIL" and also "Edgewood 4-6336." Also found in his possession at this time was a memorandum reflecting:

"3/27" and the following:

"X 24425. CR 2812. 21613. DB 2250.

The "New York World Telegram" of May 23, 1957, reflected that on the previous day a Supreme Court Judge had ruled that subject was entitled to appeal pending his appeal for contempt. Subject had served 15 days of the 30 day sentence and was released on May 22, 1957.

The "New York Journal American" of July 22, 1957, reflected that 12 days after S. F. OSHINSKI retired as a Lieutenant in charge of guards at the Federal House of Detention, his name turned up on the payroll at Roosevelt Raceway. OSHINSKI retired from his prison post with Federal pension last April 1, 1957, exactly three weeks after COSTELLO was released. This article reflected that COSTELLO had served one year in the jail at 427 West Street. For nearly three months, OSHINSKI was employed as a special policer in at Roosevelt Raceway, and had gone to work at the Westbury, Long Island Raceway track on April 12, 1957, for \$66.00 a week. According to this article, CSHINSKI "quit on or about July 8", said a spokesman at the track. "He told the Personnel Department the resignation was in the best interest of the track."

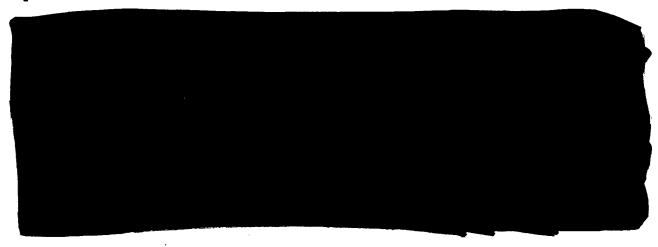
The "New York News" in an article dated July 9, 1957, stated that S. F. OSHINSKI of 113-08 210th Street, St. Albans, Queens County, New York, said he had "no idea why COSTELLO should have a notation of my name and phone. While he was at

"the House of Detention I had only routine contact with him. I did no more for him than I did for any other prisoner."
"The only time I did anything for him and it has been done for other prisoners, was to allow him to call his wife for a change of clothing for a court appearance. To me, he was just another prisoner," according to OSHINSKI.

This same newspaper article related that ALVIN WEIL, Secretary of Roosevelt Raceway was puzzled over his listing. He said "I was formerly associated with GEORGE MORTON LEVY, who handled COSTELLO's affairs, some years ago, but I haven't seen the man in more than a year and a half. It is a mystery to me why he should have my phone number."

In the same newspaper article, Postmaster WALTER CUMISKEY of Port Washington, Long Island, could not explain either why his name was in the mobster's pocket, "The only reason I can give is that he may have wanted to check on his summer mailing address and intended to see me about it," CUMISKEY said.

This article went on to state that COSTELLO has a swank place in Sands Point which is in the Port Washington postal district.



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It is noted, according to an article in the "New York World Telegram and Sun", of May 9, 1957, that on May 2, 1957, the night COSTELLO was shot, he went to the Monsignore with GENEROSO POPE, JR., publisher of the "New York Enquirer." Also with COSTELLO, was Enquirer columnist JOHN MILLER. Their wives were also in the party. Also in the party, were PHILIP KENNEDY, manager of millionaire HUNTINGTON HARTFORD'S Model Agency, and AL MINIACI, juke box magnate. Another COSTELLO "chum" FRANK MARIO BONFIGLIO, was in the Monsignore when the others arrived and he joined the COSTELLO party.

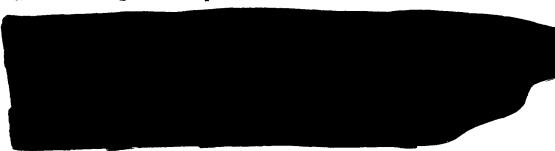
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In an article in the "New York Journal American" of August 20, 1957, reported that VINCENT "the Chin " GIGANTE, age 29, a 215 pound ex boxer of 134 Bleeker Street, New York City, was under arrest by the New York City Police Department charged with the attempted murder of COSTELLO. The article related that GIGANTE had turned himself in on August 19, 1957.

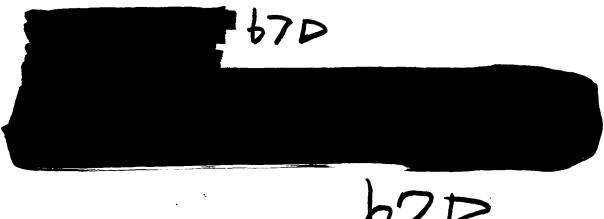
An article in the "New York Herald Tribune" of August 30, 1957, reflected that VINCENT GIGANTE pleaded innocent on August 29, 1957, to an indictment charging him with attempted murder in the shooting, last May 2, of FRANK COSTELLO. The same newspaper in an article of September 19, 1957, reported that GIGANTE was released in \$100,000 bail on September 18, 1957, as the alleged attempted murderer of FRANK COSTELLO.

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E. LEGITIMATE ENTERPRISES WITH WHICH SUBJECT HAS REPORTEDLYBEEN CONNECTED

1. Nightclubs

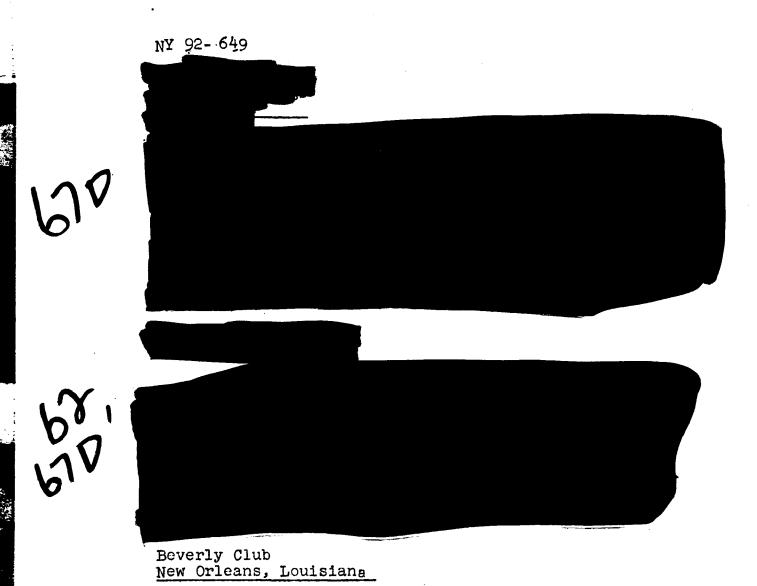




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On January 26, 1951, PHIL KASTEL informed the Senate Crime Committee at New Orleans, Louisians, that the subject owned 20 percent of the Beverly Club in New Orleans, Louisians, and that KASTEL himself, owned $47\frac{1}{2}$ percent. He advised the committee at that time, that he had been associated with the subject since approximately 1920. He listed the owners of the Beverly Club and their percentage of ownership as follows:

PHIL KASTEL

47½ percent

FRANK COSTELLO

20 percent

G. RICKERFORD • 12½ percent

DUDLEY GUIGERIAN 2 percnet COSTELLO's Brother-in-law

KASTEL informed the committee that the subject was on the Beverly Club's payroll and that "he does good will work" and received as his salary, \$1,000.

On March 13, 1951, the subject testified before the United States Senate Crime Investigating Oommittee at New York City and stated that PHIL KASTEL, FRED RICKERFORD and CARLOS MARCELLA were all in partnership in the ownership and management of the Beverly Country Club in New Orleans, Louisians. He advised that he held a 20 percent interest, but refused to answer the question as to whether or not the Beverly Club had a gambling casino attached to it.

RUDOLF HALLEY, Chief Counsel of the Committee then read from another Senate Crime Committee records before which the subject had testified in April, 1950, that subject had stated at that time in answer to the same question, that the Beverly Country Club "just to make it clear, roulette and dice" were played there. He, at that time, testified that he received \$18,000 in salary in 1950 from the club. When confronted with his former testimony, the subject stated that his duties with the club were merely to solicit additional acts to appear at the club and to act as good will man.

The New York "Daily News" in an article on November 7, 1957, stated that the United States Tax Court had ordered New York gambler FRANK COSTELLO's plush New Orleans gambling casino to pay \$175,000 in back taxes. The article went on to state that COSTELLO operated the club as a gambling house in partnership with CARLOS MARCELLA, now fighting deportation, PHILIP "Dandy" KASTEL, the club president, and A.G. (FREDDY) RICKEFOR. This article also related

that this club was closed several years after Senator KEFAUVER's Committee probed racketeering in New Orleans.

Real Estate

79 Wall Street Corporation 30 Broad Street New York, New York

The records of the County Register's Office, New York County, New York, New York, reflected that on May 23, 1944, the property known as 79-89 Wall Street, 148-152 Pearl Street, and 114-16 Water Street, New York City, were purchased by the 79 Wall Street Corporation, a real estate! Holding Company, with an office at 30 Broad Street, New York City. Subject was president and his wife, LORETTA B. COSTELLO was vice president and secretary. This property was evaluated at \$512,000 and was purchased subject to a mortgage of \$249,483.

Secretary of State's
The records of the/ Office, State of
New York, reflected certificate of corporation for the
79 Wall Street Corporation, which was filed on April
21, 1944, with the Secretary of State by BLANCHE WOLF,
30 Broad Street, HARRY SHAPIRO, 261 Broadway, and
GEORGE WOLF, 30 Broad Street, all New York City, who
were listed as directors. It is noted that BLANCHE
WOLF is reported to be the daughter of GEORGE WOLF, who
acted in the capacity of subjects attorney. It is
also noted that in various newspaper accounts and
during numerous personal interviews with GEORGE WOLF
by agents of the New York Office, it has been ascertained
that GEORGE WOLF, 30 Wall Street, has been the subject's
attorney for a long period of time.

On August 23, 1950, the subject announced through his attorney GEORGE WOLF, the sale of thirty buildings in the Wall Street area.

A thirteen story office building at .79
Wall Street and two four story business buildings located at 87 Wall Street, and 114 Wall Street, for a sum of approximately \$500,000. According to WOLF's statement to the remarks, COSTELLO was president of the 79 Wall

Street Corporation and his wife LORETTA COSTELLO was vice president. He further explained that instant sale represented all of COSTELLO's real estate holdings in New York City.

The subject on March 13, 1951, testified before the United States Senate Crime Investigating Committee in New York City, that in 1950, he sold the 79 Wall Street Corporation, at which time he realized a net profit of \$119,756.42. He also admitted that during 1950, he had earnings of \$26,800 as gambling winnings and that during 1950 his total income was \$168,357.23, over the \$4,500 salary from the Beverly Nightclub.

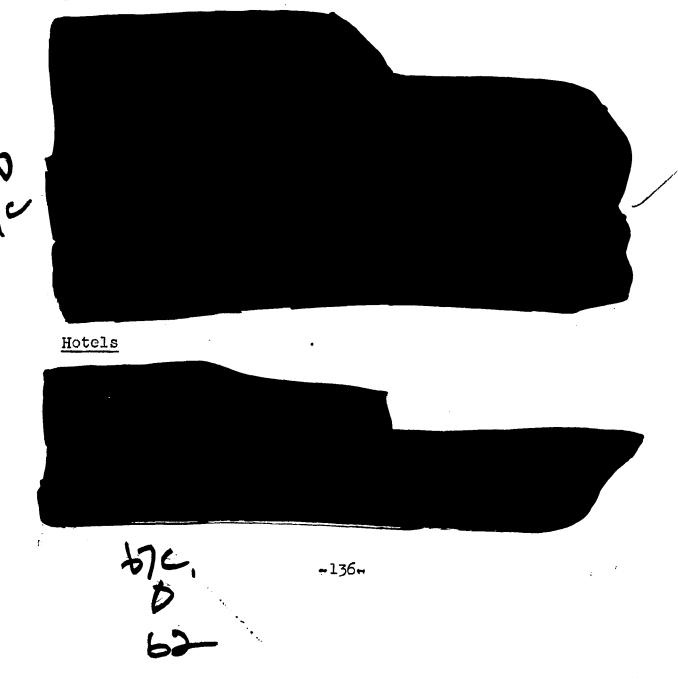


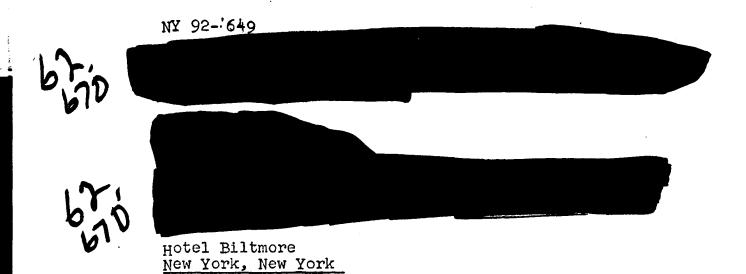
yacation Village Grand Bahama Island Florida

The "Herald Tribune" newspaper of April 30, 1951, contained an article indicating that LIONEL MARKS, an associate of FRANK COSTELLO, offered to buy within a year, the multi-million dollar vacation village on Grand Bahama Island, sixty miles east of Palm Beach, Florida, for a reported four million sixty thousand dollars to be paid in cash. This newspaper article went on to state that

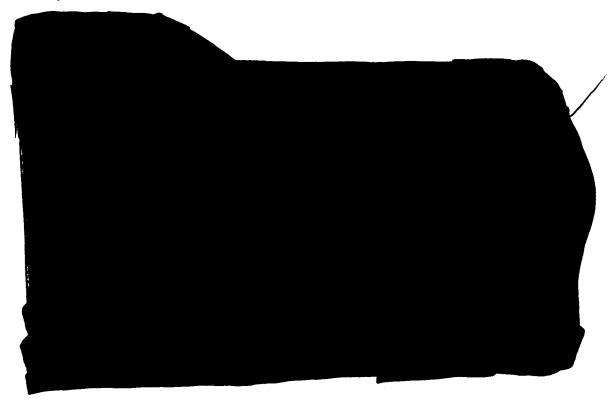
the plans of Mr... MARKS's and his associate called for an additional expenditure of seven million dollars on improvements of property including racetrack and clubhouse.

Both MARK's and his attorney SYDNEY KRAUSE, 225 Broadway, New York City, have denied reports that the syndicate planned to errect on Grand Bahama Island, a large gambling casino designed to attract United States gamblers.





During the early part of 1949, WALTER WINCHELL, the newspaper columnist reported that COSTELLO was one of the bond holders of the Hotel Biltmore, New York City.



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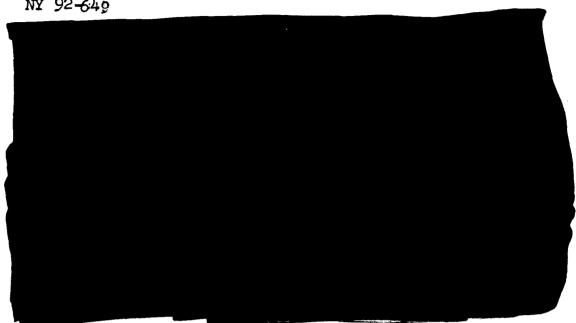




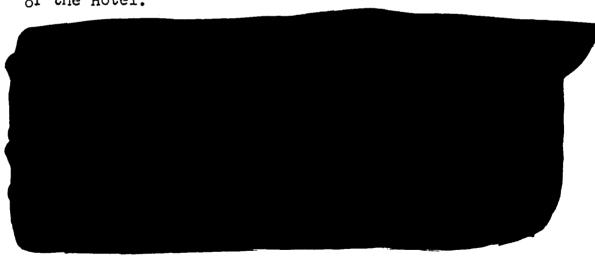
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Investigation by the Salt Lake City Office. reflects that the Tropicana Hotel opened on April 3, 1957, as a plush resort hotel. News accounts stated this hotel cost fifteen million dollars; it was located on united States highway 91, which is known as "The Strip." LOUIS LEDERER was described as Secretary and Treasurer of the Tropicana Hotel. JAKE ELLISON was Credit Manager of the Hotel.







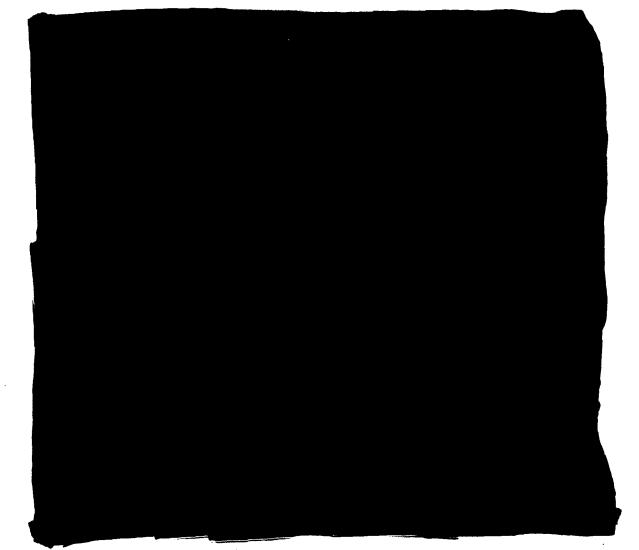
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6. Miscellaneous Enterprises

Mid-Town Novelty Company 1860 Broadway New York, New York

Subject admitted in the Southern District of New York, in 1939, that he organized the Mid-Town Novelty Company in 1931, and

that he operated slot machines at this company.

True-Mint Vending Company 247-51 West 116th Street New York, New York

in the Southern District of New York, in 1939, that he operated the True-Mint Vending Company in 1931.

67D

Mills Novelty Company Chicago, Illinois

It has been alleged that the subject at one time owned the controlling interest in the Mills Novelty Company, Chicago, Illinois, a manufacturer of slot machines. However, although the subject has purchased slot machines from this company, there was no proof to show he was actually interested in the company.

Louisians Mint Company New Orleans, Louisiana

As previously reported in this report, the subject reported an income from the Louisian. Mint Company, New Orleans, Louisian., for the year 1943.

Costello Lunch Service Pier 1 New York, New York

United States Coast Guard Officer in Charge, Marine Inspector, 80 Lafayette Greet, New York City, advised that the subject operated the Costello Lunch Service on Pier 1 on the North River.

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Hotels

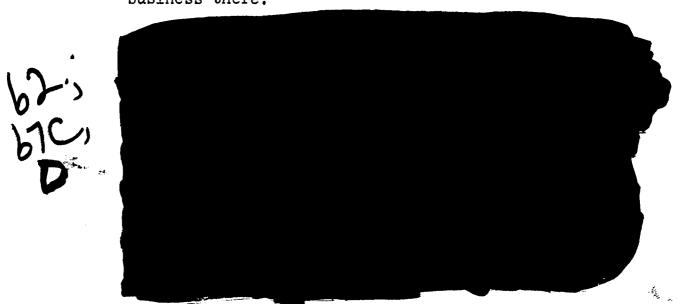
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F. PLACES OF AMUSEMENT AND

F. PLACES OF AMUSEMENT AND
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62, 67D

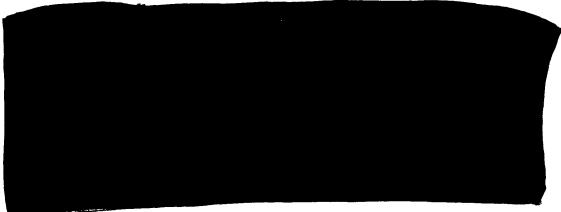
As a result of spot surveillance, which was maintained on subject in October, 1946, it was ascertained that the subject visited the lobby of the Waldorf-Astoria Hotel practically every day and made many contacts and apparently conducted some of his business there.



FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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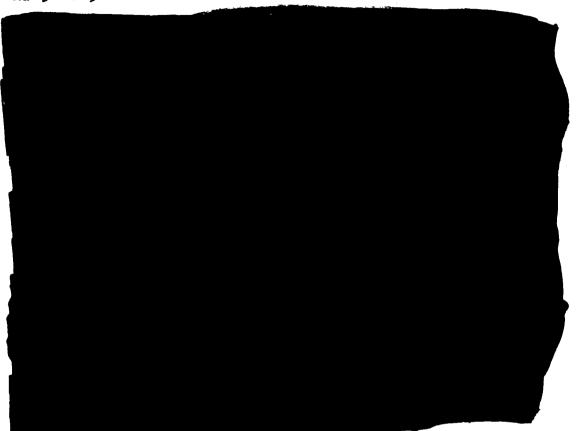
3. Nightclubs and Restaurants

When BENJAMIN (Bugs) SIEGEL, the late New York racketeer, was under surveillance by agents of the New York Office in 1946, it was noted that he frequently met with the subject at the Copacabana Nightclub, 10 East 60th Street, New York City. Physical surveillance reflected that approximately 6:00 p.m. each day, the subject visited the Copacabana Nightclub, where he apparently conducted business.

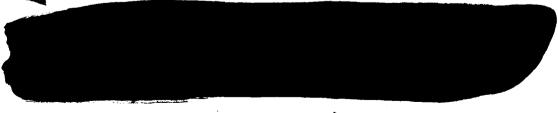
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On September 6, 1955, T-38, a Federal Investigative Agency, furnished information that the subject was apparently restricting his activities in the rackets. He went on to state that the subject frequents the Men's Bar at the Waldorf-Astoria Hotel, two or three times a week with LOUIS SCHOENBAUM, a former Internal Revenue Agent. According to T-38, when the subject is not at the Waldorf-Astoria Hotel he goes to Arcando's Restaurant or to Joe's and Rose's on Third Avenue, between 34th and:35th Streets, New York City.



-154-

67C,D

G. TRAVEL

The "New York Daily News" in an item of May 3, 1957, pointed out that the subject had alighted from a cab on May 2, 1957, prior to the time a gunman had fired on the subject.

'An intem in the "New York Times" on May 8, 1957, related on a previous day, the subject had arrived in a taxi at the Criminal Courts Building, New York City,

On July 5, 1957, the subject was observed by agents of the New York Office on flight 308, American Airlines, which flight left Washington, D. C., for New York City on that date.

On January 27, 1955, SE caused a search to be made of the records of the Bureau of Motor Vehicles, New York City, and no record was located for the subject.

caused a check to be made of the records of the Bureau of Motor. Vehicles, New York City, on December 10, 1957, and no current driver's license or a 1957 registration was located for the subject.

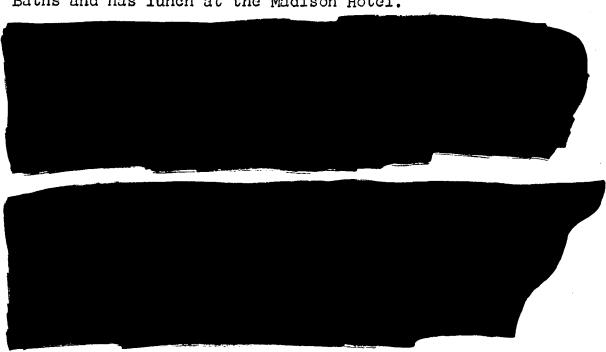
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H. PERSONAL HABITS AND PECULIARITIES

MYLES LANE, who was United States Attorney, Southern District of New York, during March, 1951, advised concerning the subject's activities that he supposedly gets a shave daily at the Waldorf-Astoria Barbershop, and habitually patronizes the Biltmore Baths and has lunch at the Madison Hotel.

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130°



The "New York Post" in an article dated May 9, 1957, reflected that PHILIP KENNEDY, who was with the subject prior to the time that subject was shot on May 2, 1957, described the subject as always being very gentlemanly and he also had a great sense of humor.

The "New York Post" in an article on May 12, 1957, stated that the subject loves fine food and find living, and is not without a certain primitive charm,

selects his custom tailored suits with the conservatism of a well paid lawyer and hungers for a respect befitting his position. According to this article, no one has everageused the subject of operating within narrow social limits, that he likes to entertain and he likes to bestow largesse on the less fortunate.

In anarticle in the "New World Telegram and Sun" of May 13, 1957, captioned "EPITAPH FOR AN EMPEROR, COSTELLO, THE GENTLEMANLY HOODLUM, reflects the following:

"When the average American hears the name of Frank Costello, he pictures the deposed emperor of the crime cartel as a cruel, sinister image of evil. As a matter of fact, Uncle Frank could be mistaken for a prosperous well-dressed, civic-minded Italian businessman.

"In his mannerisms, he displays none of the qualities of an ex-convict. He speaks softly, dresses expensively but conservatively and is generally seen in the very best places. In his carefully selected company are some of the nation's best known lawyers, judges, politicians, and business leaders.

"With the power of his position, Costello has always reveled in the luxurious life of a millionaire.

But he has never been a showoff.

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"Costello is a strongly built man of average height. His short neck is perched on wide shoulders. When he mixes with the public, he gives the impression of a man who wants to be pictured as a rather kindly gentlyeman whose chief interest is in doing good for his friends. Unfortunately, the one vaulted "boss" of the crime syndicate finds himself today in a lowly jail - hounded by the law and turned on by fellow mobsters who wish him in his grave. Uncle Frank is the Big Town's most unhappy fella.

"It was not always this way of course, because the kingpin of crime long enjoyed a rather remarkable immunity to the bars of a cell. As the puppeteer guiding the moves of thousands of underlings in the syndicate, he stayed aloof and happy in the luxury of his seven-room apartment at 115 Central Park West.

"Costello always loved to lounge in a great chair before his fireplace, eyeing his visitors with soft, limpid, gray-blue eyes. His black hair, streaked with gray, was brushed straight back from his narrrow forehead and the muscles around his thin lips worked ceaselessly as he listened to the conversation.

"He always preferred to keep full face to his visitors, a healthy habit for any man in his business. Besides he has always been a bit conscious of the Cyrano de Bergerac profile created by his long and pointed nose.

"He had always been proud of his deep tan, the result of long hours under the barbershop sun lamps and the frequent trips he made to Miami and Hot Springs, Ark. He enjoys studying the brown healthiness of his nervous, short-fingered hands.



"The Emperor was always proud, too, of his impeccable attire. Actually, his wardrobe has never consisted of more than 25 suits, all of them, however failtlessly tailored. By the usual standards of hoodlum imberdashery, this was no extensive layout since other big shots in the business of crime have boasted of having more than 100 suits.

"The explanation, perhaps, is that Costello has always discarded suits at the close of a season and purchased new ones more often than most of his colleagues.

"He favors single-breasted suits of deep blue with a thin white stripe. His shirts, naturally, are custom made, with his initials on the left breast. His links, of quiet design, are either gold or platinum. He delights in gleaming white shirts but will wear pastels on relatively informal occasions.

"His lust for color is evident in only one article of apparel, his neckties. He adores Countess Mara and Charvet originals which often are hand-painted riots of color. He feels, no doubt, that flashy neckwear stamps him as a man of taste in the eyes of his "business" associates.

"He sleeps today, of course, on the hard, bumpy bunk of his prison cell but when he's home with his wife, Loretta, he drops off in a soft oversized bed that is elegantly equipped with a quilted headboard. He sleeps soundly and anything less than eight hours rest is likely to make him snappish in the morning.

"He rises early, as policemen who have been tapping his phone since 1943 will attest. Well aware that his words are recorded by the cops, Costello often has lifted the receiver and extended a polite "Good morning, boys" to the silent sentinels who, of course, never replied.

"Even today the police do not deny they are tapping Uncle Frank's phone. Their answer to the question is always a crisp "No comment."

"Upon arising in the morning, Costello habitually would slip into his silk dressing gown, and pad into the bathroom for a warm shower. He then would breakfast in the dining room with Loretta. As he breakfasted, he began his business day, first scanning the newspapers to see whether he or his henchmen were in the headlines and then receiving calls in code from lieutenants all over the country.

"As Herbert Asbury, the noted crime writer, reported in his 1947 series in Collier's, many of Costello's mornings were spent in conference with politicians, racketeers, lawyers and accountants but none dared visit him without an explicit invitation. Even Frank Erickson, the fabulously wealthy bookie who wound up in jail for his role in the Costello syndicate, never dreamed of dropping in for a chat with Frank without first telephoning for an appointment.

For years, Costello drove each day to the Waldorf-Astoria, the swank hostelry of which he was inordinately fond, probably because it signalized for him the position he wanted most to occupy in this world.

"It is probable that some of the biggest deals of his life were consummated in the Men's Bar or around a table in the ornate grill room. In fact, a few of his pals, including Charles (Lucky) Luciano and Willie Bioff, the extortionist, took such a fancy to the grand hotel that they moved in for a time and rubbed shoulders with some of the very captains of industry they were shaking down.

"Costello generally makes straight for the barbershop as soon as he enters the hotel. There he is shaved, massaged and hot-toweled while his nails are being given the attention of an expert manicurist and his shoes the loving care of his special bootblack.

"Barbers say that Costello relaxes fully in the chair and seldom talks more than is necessary to exchange

the pleasantries of the day. Occasionally he is accompanied to the barbershop by an associate, but it has been noted that the other man maintains a discreet silence while Costello absorbs the warmth of the hot towel and the tangy freshness of the toilet water.

"Closely shaven and exuding the confidence of a meticulously groomed business executive, Costello generally strolls into the bar for a whiskey sour or two before sitting down at his accustomed table in the dining room. On other days, he may wander over to Toets Shor's or another midtown restaurant, to steep himself in the Broadway and theatrical atmosphere he loves.

"On such occasions he selects a corner table and sits back to the corner, facing the entrance. Waiters have noted that although he is at the table for most of the meal, a number of hard-faced men who are not steady patrons of the restaurant drop in and take seats at adjoining tables.

"At intervals some of the men - one at a time - will leave their own tables, sit down beside Costello, exchange a few words and then return to their meals. The whole procedure impresses that waiters as a form of cafe society table-hopping, done in underworld style.

"Over the years Costello has been seen in the company of such well known gamblers and racketeers as Erickson, the master bookmaker; Joe Adonis now in voluntary exile in Italy, and Lucky Luciano, deported to Italy; Vincent (Jimmy Blue Eyes) Alo, long one of Costello's trusted lieutenants; the late Dutch Schultz and the late Benjamin (Bugsy) Siegel, who for years ruled the West Coast underworld.

"Oddly enough, these men - some of them responsible for the most flagrant crimes in the nation - conducted themselves with passable manners. Actually, they represented what Costello so earnestly worked for - a new look for the American criminal, a man conservatively dressed and unobtrusive in public.

"Costello would devote frequent afternoons to his "business" interests. It was his practice to run up to Westchester County, out on Long Island or down into New Jersey for a round of golf with an attorney or a gangster friend or some politician currently in his favor.

"In the evening it has been Costello's custom to telephone Loretta and tell her where to meet him for dinner. He rarely dines at home, preferring to excort Mrs. Costello to the most expensive fashionable clubs in the city. Frequently he would meet with outstanding lawyers and business friends, always picking up the check and flashing a \$100 or \$500 bill - a hangover from the Prohibition days when he carried his money in wads.

"District Attorney Frank S. Hogan once asked costello if it were not true that he was trying to mix with "the better people."

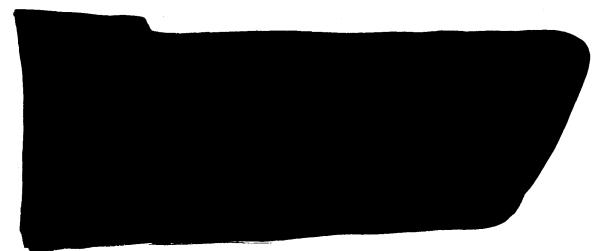
"Costello replied: "Absolutely. The better people and nothing but the better. I know some of the biggest utility men and some of the biggest businessmen in the country."

"But, he declined to name them, explaining that he did not wish to embarass them.

"You know some of the worst people, too, dont't you?" asked the district attorney.

"Yes," said Costello.

P30,



INASMUCH AS THE SUBJECT WAS SENTENCED ON APRIL 14, 1915, TO THE NEW YORK CITY PENITENTIARY FOR 1 YEAR FOR POSSESSION OF A REVOLVER, AND DUE TO HIS LEPORTED ASSOCIATION WITH TOP HOODLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

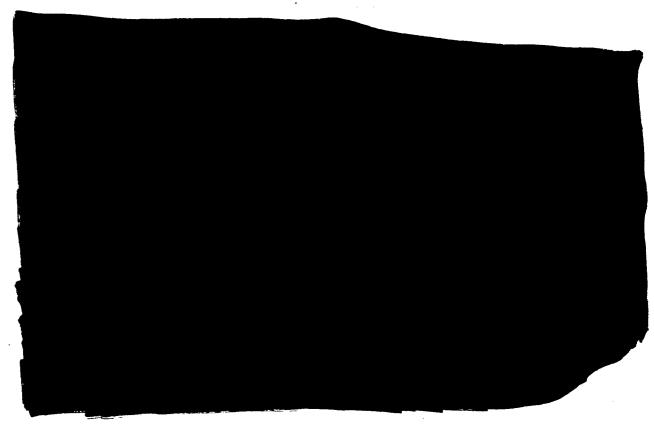




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Attempts To Interview Subject

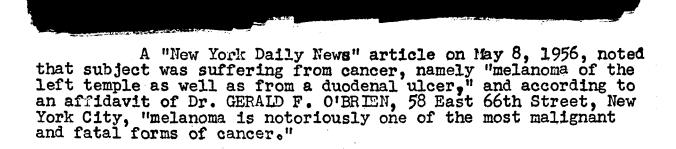
During December, 1952, subject was interviewed by Bureau agents at the Atlanta, Georgia, Penitentiary, in connection with a deportation case against HYMAN STROMBERG. Subject was an admitted associate of STROMBERG and when he was questioned concerning his knowledge of STROMBERG, subject then stated "I will only talk to my lawyer and my wife."

On August 1, 1956, SA attempted to interview subject at the Federal Detention Headquarters, New York City, in connection with a fugitive investigation, however, subject refused to be interviewed. When subject was informed of the specific nature of the interview, namely that the agent desired to discuss the matter relating to the missing fugitive, subject stated that he did not desire to discuss anything with the Federal Bureau of Investigation, and terminated the interview.

2. Health of Subject

67C,

PSC.



J. The Description of Subject

The following is a description of subject as obtained from various records, newspaper accounts, and as a result of investigation:

Name Aliases	FRANK COSTELLO FRANCISCO CASTAGLIA, FRANK CASTELLO, FRANCESCO CASTIGLIO, FRANCISCO CATAGLIA, FRANCESCO COSTAGLIA, MURRAY H. HOFFMAN, FRANCESCO SAVERIO, FRANK SAVERIO,
	FRANK STELLO
Race	White
Birth	January 26, 1891, Cosenza, Italy January 26, 1891, Calabria, Italy January 26, 1896, Reggio, Calabria, Italy 1893, Calabria, Italy January 26, 1893, Calabria, Italy January 23, 1893, La Ropalla, Calabria, Italy
Height	51 7"
Weight	170 pounds
Hair	Dark chestnut
Eyes	Dark brown
Build	Medium
Address	115 Central Park West, New York
Characteristic	Raspy voice
Relatives	LUIGI CASTIGLIA, father, deceased MARY SAVERIO ALOISA CASTIGLIA,

mother, deceased

LORETTA B. COSTELLO, nee GEIGERMAN, wife, same address as subject EDWARD COSTELLO, brother.

New York

MAY COSTELLO MARCELINA, sister, Address not known, possibly resides New Orleans, Louisiana CONCETTA COSTELLO, sister, deceased SADIE COSTELLO, sister, deceased DUDLEY GEIGERNAN, brother-in-law

67C

Louisiana
HAROLD GEIGERMAN, brother-in-law,
Address not known, possibly
resides New Orleans, Louisiana

A photograph of subject, front and side view, taken on May 17, 1954, at the Federal Detention Headquarters, New York City, number H2884-NY, as well as various other photographs of subject, are being maintained by the New York Office in instant file.

Informants referred to in this report are identified as follows:

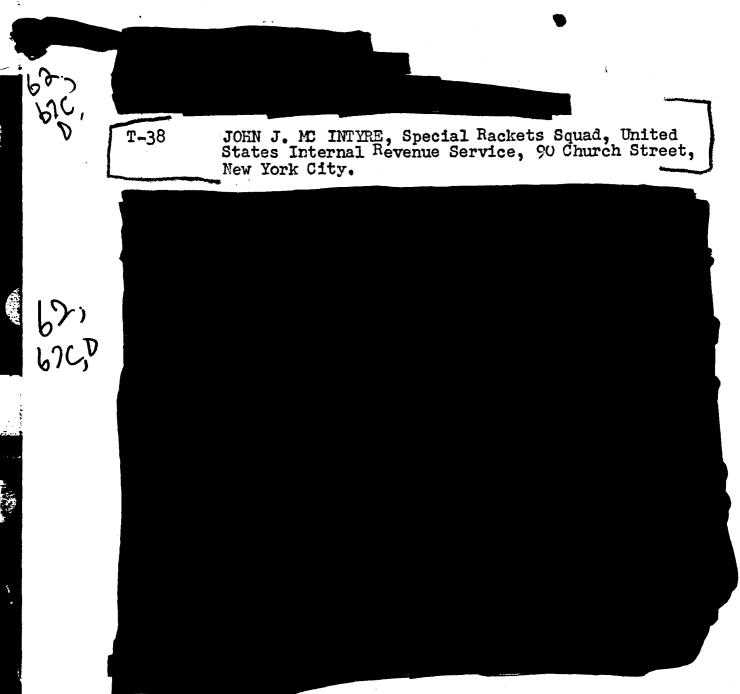
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T-7 Records of United States Internal Revenue Bureau, Washington, D. C.

Records of Federal Correctional Institution, Milan, Michigan, which records were made available to SA ROBERT ROSS R YNOLDS, December 10, 1957. This information can be obtained only through authority of the warden at this institution, therefore, in use of this information, extreme care should be exercised to protect the source of this information.

ADMINISTRATIVE PAGE -168-

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IDITINISTRATIVE

Due to bulkiness of this report, only one copy has been designated for most of the offices rather than the two copies usually disignated.

The following files are also located in the New York Office concerning subject:

New York 46-1884, entitled "FRANK COSTELLO: AERODYNAMIC RESEARCH CORPORATION: KENSINGTON SHIPYARD and DRYDOCH CORPORATION; ET AL, FAG", Washington Field origin. This investigation was conducted in 1947 as a result of information that subject had obtained interest and control of Aerodynamic Research Corporation, non-profit tax free corporation in Washington, D. C., as a means of avoiding income tax from war profits of four plants owned by Aerodynamic. Investigation failed to establish that subject had any such interest.

New York 58-577, entitled "FRANK COSTELLO, BRIBERY". This case was predicated on information appearing in the "New York Daily Mirror" of March 30, 1951, which contained a sentence stating subject's tips to courtroom employees amounted to \$600. Investigation in this case resulted in denials of members of the United States Marshal's Office and other court house employees of having accepted money or anything of value from subject, or his attorney GEORGE WCLD. Investigation also developed information that WALTER WINCHELL'S information which appeared in the newspaper article, was possibly the outgrowth of a practical joke initiated in the pressroom of the United States Court House among the members of the press. Investigation in this case was discontinued upon the opinion of the United States Attorney's Office indicating that further investigation was not warranted under circumstances set forth above.

New York 62-11163, entitled FRANK COSTELLO; ET AL INFORMATION CONCERNING PRISON IRREGULARITIES, U.S. PRISON LEWISBURG, PA."

67C,D

BC.

New York 69-51, entitled FRANK COSTELLO, CONTENT OF CONGRESS", wherein investigation was conducted during early part of 1952, at the request of the United States Attorney, Southern District of New York, in connection with subject's trial for Contempt of Congress. Investigation was terminated upon subject's conviction.

RIC

New York 74-182, entitled, FRANK COSTELLO; ET AL, PTRJURY". Investigation in this case was instituted in 1951, at the request of the United States Attorney, Southern District of New York, in connection with alleged per jury by subject and other witnesses before the United States Senate Investigative Committee. Investigation was discontinued based on the opinion of the United States Attorney's Office, that successful prosecution could not be had, inasmuch as corroborative evidence and witnesses were not located.

<u>LEADS</u>

ALBANY

At Saratoga Springs, New York

Will ascertain through records, however, not contacting these nightclubs, ascertain if possible whether subject may have had interest in Brook and Fiping Rock Nightclubs, Saratoga Springs, New York, inasmuch as reported subject previously had interest in these clubs, possibly in 1933,

ATLANTA

At Atlanta, Georgia

670,D

Will report results of record check for subject at United States Penitentiary, as set out in New York airtel 12/3/57.

Will report information concerning allegation in November, 1953, that subject was moving slot machines into Atlanta.

BOSTON

At Boston, Massachusetts

Will report any information which might reflect subject's association with

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CHICAGO

67D

At Chicago, Illinois

Will report any information indicating subject may have had an interest in

HOUST OF

At Houston, Texas

67C

LITTLE ROCK

At Hot Springs, Arkansas

670

Will report any information or was an associate of subject and how associated.

is

Will report results of office indices check on

LOS ANGELES

b7C-

At Los Angeles, California

Will report any information relating any connection of subject with

MIAMI

67C,D

At Miami, Florida

Will report results of any information reflecting that

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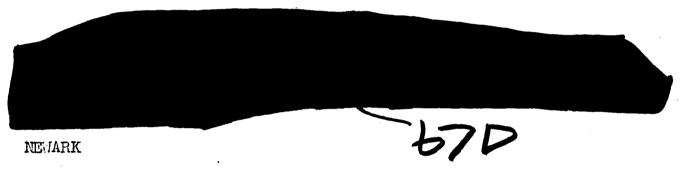
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12C,

Will report any information relating to possibility that subject may have been in partnership with BENJAMIN SIEGEL, and JOE ADONIS in control of rackets in Florida.

Will report any connection of subject to Embassy Club, reportedly operated by ALBERT J. CONTENTO, an associate of subject.

MILWAUKEE



At Newark, New Jersey

Will report any information relating subject to the following:

67C,



Subject, possibly in past, may have been in partnership with BENJAMIN SIEGEL and JOE ADONIS in control of rackets in New Jersey.

Alleged that subject and JOE ADONIS, at one time, made Bergen County their headquarters for gambling activities and ran the "Big Hall" gambling establishment, at Cliffside Park.

NEW ORLEANS

At New Orleans, Louisiana

Will report any connection subject may have or may have had with the following:

670,

Louisiana Mint Company, Beverly Club, Fair Grounds Race Track, and Magnolia Harness Track.

67c

Will report review of court records relating to subject's evasion of income taxes, New Orleans, 10/9/39. This lead set out in airtel 12/10/57.

OMAHA

At Council Bluffs, Iowa

Will report any information reflecting subject to have an interest in Dog Race Track, Council Bluffs, Iowa.

PHILADELPHIA

At Philadelphia, Pennsylvania

Will report any information relating to possibility that subject, possibly in past, may have been in partnership with BEMJAMIN SIEGEL and JOE ADONIS in controlling the rackets in Philadelphia.

PITTSBURG

At Pittsburg, Pennsylvania

67c

570,



At Salt Lake City, Utah

Will report any additional information concerning JOHN RCSELLI, as an associate of subject, who is reported as being a possible associate of subject at Tropicana H tel, Las Vegas, Nevada.

Will report any information reflecting subject has an interest in Flamingo Hotel, Las Vegas.

SAN DIEGO

At San Diego, California

Will report any information relating any connection of subject with

It has been also reported that subject controlled gambling houses in Colifornia.

SAN FRANCISCO

At San Francisco, California

(Same lead as San Diego Office,)

NEW YORK

At New York, New York

1. Will review records of Rikers Island Penitentiary,

relating to subject's former incarceration at the Penitentiary.

2. Will report results of check requested for information concerning Copacabana Nightclub, Midtown Novelty Company, Alliance Distributors Inc., and Continental Casualty Company, New York City.

3. Will check various court records, New York City, relating to court actions against subject.

4. Will report results of requested check for Legat at tome, Italy, to verify subject's birth.

678

6. Will attempt to develope possible criminal activities and associates of subject and attempt to determine his connection with alleged hoodlums who attended meeting at Apalachin, New York, on November 14, 1957.

7. Will attempt to develop information or appropriate source, in order to keep the New York Office advised of subject's activities.

670

8. Will contact

for additional information as to

the subject.

ALL DEFICES receiving a copy of this report, reportedly have had past activities of subject in their territory. Therefore, all offices are requested to contact informants and sources concerning gambling and other activities in the "rackets", for continuing information as to subject's associates, enterprises, interests, activities and travel, Any additional data concerning the subject in office indices, should also be furnished.

It is noted that this general lead was set out by airtel, 12/11/57, to New Orleans, copies to Boston, Chicago, Los Angeles, Omaha, Salt Lake City, San Diego, and San Francisco.

REFERENCES

Bureau letter to New York, 11/27/57.
Bureau letter to New York, 12/10/57.
New York airtel to Philadelphia, 12/3/57, with copies to Atlanta and Detroit.

NY 92-649

New York letters to Eureau, 12/3/57, and 12/6/57.

New York airtel to New Orleans, 12/10/57, with copies to Albany, Little Rock, Miami, and Newark.

New York airtel to New Orleans 12/11/57, with copies to Boston, Chicago, Los Angeles, Omaha; Salt Lake City, San Diego, and San Francisco.

Philadelphia airtel to New York, 12/9/57.

Detroit airtel to New York, 12/10/57

ADMINISTRATIVE PAGE (Cbntd.)

-178-

Application of the contain

FEDERAL BUREAU OF INVESTIGATION FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

SUBJECT: FRANK COSTELLO

FILE NUMBER: 92-2869 SECTION 2

Office Memorandum · UNITED STATES GOVERNMEN

DATE: 1/14/58 DIRECTOR, FBI NEW YORK (92-649) Concerning informants of the NVO, who have furnished information reflected in referenced report, or who may furnish information concerning the subject, the following are active and possibly in a position to furnish direct information on a continuous concerning the subject: RECORDED-3 JAIL 16 10 15 AH "58 6 0 FEB 3 1958

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Inese informants will be contacted regularly for any information relating to subject, particularly his activities, associates, hangouts, and his travel.

Available information as to subject!s background and reported activities in the NYC area, has been summarized for the attention of all agents in the NYO handling symbol and potential criminal informants. These informants may be in a position to have knowledge of gambling activities and will be contacted with direct information on a continuing basis, regarding all phases of subject's activities, associates, and his hangouts.

During the continuing investigation by the NYO.

phases of subject's activities, will be explored as they arise,
including the possibility, of such development of the subject.

2-4-58

PERSONAL ATTENTION

Director, FBI (92-2869)

FRANK COSTELLO. WAS. ANTI-RACKETEERING

Rerep SA

dated 12-26-57.

An analysis of rerep reflects that the majority of the information contained therein was secured as a result of a review of your files. Although this background information is important and must be collected and fully Teporaget, it is equally important that you develop information regarding the current activities of this subject.

Because of the prominent position Costello holds among the top beedlum element of the nation and because of the publicity usually given to any activity with which he is associated, a tremendous amount of work remains to be done in order that the Bureau might have a complete picture of his activity and known associates.

In this regard, your attention is directed to the letter to the New York Office dated 11-27-57 containing the format to be followed in reporting information developed by these investigations. This letter also set forth the aims and purposes of this program. After a number of the reports were submitted and reviewed at the Bureau, certain delinquencies were noted to occur therein with regularity. These delinquencies were called to your attention by Bulet to New York dated 1-15-58. You should review the comments in this letter in light of the instructions set forth in the letter of 11-27-57 and you will readily see that several of the delinquencies mentioned in the letter of 1-15-58 are COMM - FBI apparent in rerep. As you will note, an attempt must be made FEB 5 - 1950 fact or allegation received by your office every aubject. RECORDED - 51

MAILED 20

As pointed out in the letter of 11-27-57, one of the results expected from this programsistan accurate resume of the activity and tie-ins of heodiums. In reporting infermation under this program you should make sure that not only

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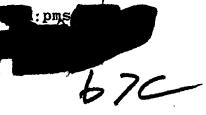
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2 - Salt Lake City 1 - Washington Field (info)





the source of the information is given but the date such information was received and the time to which it refers should be clearly indicated.

The following specific suggestions and observation are set forth for your future guidance in continuing your investigation of this subject.

It is observed on page 4, subject has stated he attended grade suchool at Schools #82 and #108 in New York (You should verify this by checking the official schools recor while checking these records you should be alert for any pertinent information regarding members of subject's family and this should be obtained and reported.

Merop reflects on page 3 that subject has been denaturalized; however, he has appealed this decision, which appeal is still pending. You should maintain contact with Immigration and Waturalization Service so that you will be advised of the results of this appeal. Complete information regarding this court action must be reported in detail. Any logical leads suggesting themselves as a result of a review of this record should be followed.

It is noted on page 9 of rerep subject's brother, Edward Costello, was, in 1926, indicted along with subject and others for violating the prohibition amendment.

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It is observed that subject appeared before the U. S. Senate Crime Investigating Committee in 1951. Although several references are made in the report to statements attributed to subject when appearing before this committee, there is no indication a complete review has been made of his testimony. If this has not been done and the testimony is not available to your office, you should set out a lead for the Washington Field Office to make this review. It

should not be limited, however, solely to the testimony of Costello, but should include a review of testimony of other appearing before the committee who furnished information regarding Costello and his activities.

In regard to the associates of subject, you indicated on page 64 of rerep that the files of your effice contained "voluminous references." It is stated only those persons who are believed to be closely associated with subj are listed in the report. Following this, 19 pages are utilized in listing associates, some of whom are top hoodly under investigation by your office and other field division The mere listing of these names is of me value. As pointed out in Bulet to New York dated 11-27-57 which contains the format to be followed in these investigations, and Bulet to New York dated 1-15-58, one of the objectives of this program is to obtain complete and detailed intelligence information on all top hoodlums. It was further pointed ou that these investigations must be designed to develop any violations within the jurisdiction of the Bureau and by complete in every sense of the word so that the Bureau might be fully informed as to all of the activities of these top hoodlums. To state in the report that subject is known to be an associate of some other person without setting forth some background information regarding that person to indicat who he is, the nature and extent of the association, is of little value.

Since Costello is well-known as a top heodlum, you must strive to fully develop and verify all information suggested in the fermat previously mentioned. This informat must be incorporated in a report pertaining to this subject.

Mention is made throughout the report that subject is said to be a member of the "syndicate," the "mafia," and "bhackhand" erganization. As pointed out on page 6 of Bulet of 11-27-57 previously referred to, one of the sime of this program is to develop accurate data as to the existence and scope of operation of any so-called criminal syndicate such as the Mafia. It is therefore expected that Agents assigned to this program will be alert for any information indicating the existence of such an organization and will take the initiative in fully developing such information. This phase of the investigation in regard to this subject will be closel; followed by the Bureau.





Rerep indicates subject has been reported at one time or another as being the owner or part-owner of night clubs, hetels, real estate, effice buildings, hending companies, and other so-called legitimate businesses. In these businesses whereas in other instances this possibilities not been resolved. You should in every instance where the subject is reported to have a part interest in a busine resolve to the best of your ability whether he does actuall have such an interest. If he does have an interest, then associates are in this business and to report such informat in subject's file.

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Investigation should be conducted to locate any bank accounts which subject or his wife might have. These should be examined in order to determine subject's source of income and other pertinent data.

It is noted machief the information reported in Forep has been supplied by informants over a period of years. You should consider recontacting these information available to your effice in order to secure current information regarding subject's activities



The above observations are not intended to be all inclusive; however, they do illustrate some of the delinquencies meted in rerep. As instructed in Bulet of 11-27-57, previously referred to, it is expected you will continue to give this program your personal attention in order to insure it is effectively administered.







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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

Section	552	Section 552a
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FEDERAL BUREAU OF INVESTIGATION

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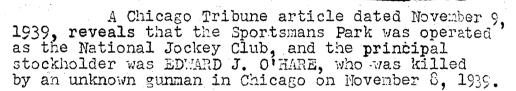
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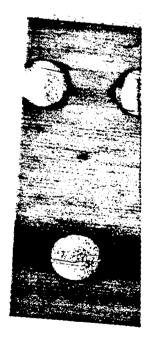
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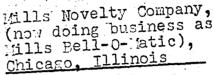
According to this article, O'HARE was brought to Chicago in 1928 from Madison County, Illinois, by AL CAPONE to run the Hawthorne Race Track and became president of Sportsmans Park in 1932. The control of Sportsmans was left to O'HARE by SHPONL when the latter was incarcerated in the Tederal Ponitentiary for income tax evasion. CAPONS requested O'HARE to meturn control of the tract to him upon his release in 1939, which O'HARE alleged refused. O'HARE was reportedly assassinated because of the fact that he refused to arrange for an abortion or marry one SUE GRANADA, O'HARE's paramour. SUE CRANADA was reportedly the daughter of PETE GRANADA, the Illinois State Representative, allegedly backed by the CAPONE syndicate.



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CG 92-369



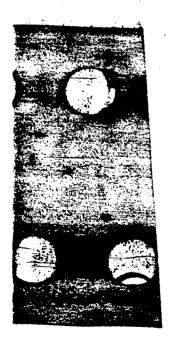
The 1954 certified list of Domestic and Foreign Corporations, issued by the Secretary of the State of Illinois, reflects as a foreign corporation State of Illinois Corporation, 208 South La Salle the Bell-O-Matic Corporation, god South La Salle Street, Chicago, with the following officers:

RALPH J. MILLS, Lake Forest, Illinois, President;

HOMER E. JACOBSON, Chicago, Illinois, Secretary;

n. D. Componation System, 208 La Salle of Chicago, Registered Agent.

This corporation was incorporated on Pebruar 27, 1945, as the Delaware Corporation to manufacture by repair, use, install, operate, sell, lease, license others to use, deal in and with coin operated license others to use, deal in and with coin operated machines, automatic vending machines, and mechanical devises of all kinds and descriptions.



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 CG 92-369

ADMINISTRATIVE

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INFORMANTS

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AT LAS VACAS, MAYION

47C

Attempt to determine the extent of COSTELLO's interests in the Conquistador Hotel Corporation (previously set out by airtel on January 7, 1958).

REFERENCES

New York airtel to New Orleans dated December 11, 1957.

Report of SA

December 26, 1957.

Chicago airtel to Salt Lake City dated January 7, 1958.

ADMINISTRATIVE PAGE





FEDERAL BUREAU OF INVESTIGATION

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LA 92-118

synopsis: (cont'd)

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DETAILS:

AT LOS ANGELES, CALIFORNIA

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On January 14, 1958, SE checked the Los Angeles County Tax rolls for the years 1953 through 1957 and found no record of anyone paying property taxes in Los Angeles County identifiable with subject. It was noted that the 1953 tax rolls showed a FRANK COSTELLO, as paying taxes on property described as

Total assessed valuation was shown as

The tax records reflected no further identifying information on the owner of this property.

ASSOCIATES

67C,D





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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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JACK IGNATIUS DRAGNA (deceased)

DRAGNA, who was formerly a well known Los Angeles hoodlum, has variously been reported as being West Coast representative of the "syndicate". He was questioned by the KEFAUVER Crime Committee in Chicago, resulting in contempt charges being voted against him on January 23, 1951, for his refusal to answer questions. In questioning before the KEFAUVER Committee, DRAGNA admitted having met CHARLES "LUCKY" LUCIANO and FRANK COSTELLO, but claimed not to be well acquainted with either individual.

FRANK MILANO, Federal Bureau of Investigation No. 4687

MILANO is a top hoodlum who is presently under investigation by the Los Angeles Division.

-4- b7C,D

LA 92-188

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A newspaper article appeared in the Los Angeles Daily News on November 4, 1947 entitled, "BIG BUSINESS IN BURGLARY, OPERATIONS METHODS REVEALED" under the byline of DENNIS SPRAGUE.

The aforementioned article made mention of numerous local jewel thieves and described jewel theft operations from an operational standpoint. The article stated in part, "MORGAN (referring to a jewel thief named 'SWIFTY' MORGAN) was known to have quit Hollywood on the same date, but not by the same means, as FRANK COSTELLO, who returned to New York after a brief visit with a well known theatrical and movie producer in the producer's Beverly Hills chateau. In the meantime ALBERT (LITTLE ABE) GREENBERG, who sang the song in a jewel theft trial last week after COSTELLO had appeared in town, continued to attend the hearings and to pay close attention to the testimony."

Continuing, the article stated, "There may be other cases for him to talk about, and for that reason he is being carefully guarded. While the police do their bit to insure his continued good health, two COSTELLO torpedoes, LENNY PAGANI and SAM MOSOLF lurk in the area, supposedly to convey him safely back to Brooklyn when the police here are through with him."

"All this is a pattern of jewelry theft on a grand scale which ties in with the operations of the nationwide mob. More than \$125,000 in gems was involved in GREENBERG's case and the mob never lets a job like this lie fallow, even though the jewels have been returned to their owners." The article continued with the author's description of how a nation-wide jewel theft ring operates.

LA 92-118
67C,D

JOHN ROSELLI, was, Federal Bureau of Investigation No. 3339 986

ROSELLI is a top hoodlum of the Los Angeles Division, who, since 1947, has been associated with the movie industry in California. He has associated with known hoodlums in Los Angeles and Chicago for many years and is reported to be a representative on the West Coast for Eastern hoodlums. He was one of the individuals convicted in connection with the WILLIE BIOFF - GEORGE K. BROWNE extortion of the motion picture industry through the organization of motion picture projectionists and other labor organizations.

The records of the KEFAUVER Committee, before which ROSELLI testified in October, 1950, reflect that he admitted knowing numerous hoodlums and racketeers, including FRANK COSTELLO.

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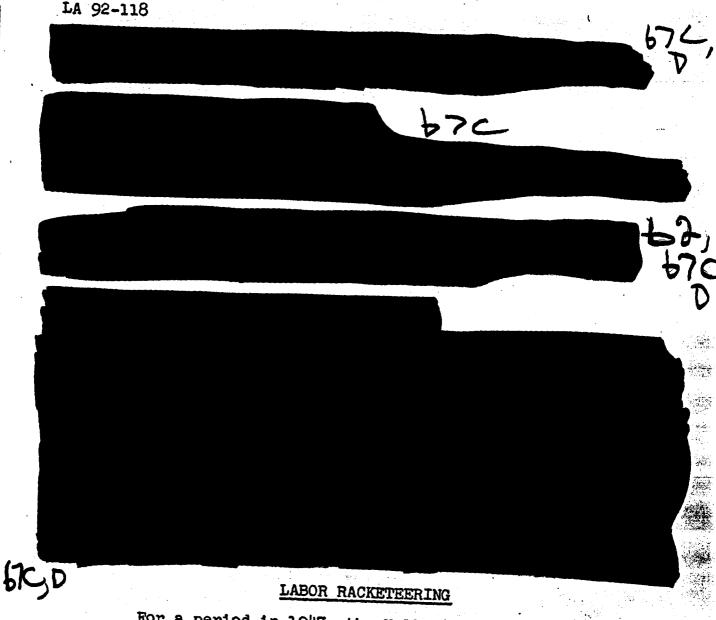
FRANK COSTELLO, in his testimony before the KEFAUVER Committee in New York City, admitted his acquaintance with SAMISH. The KEFAUVER Committee further reported that SAMISH visited JOE ADONIS at Hot Springs, Arkansas and was in telephonic contact with PHIL KASTEL, associate of COSTELLOS, in New Orleans.

MOE SEDWAY, was., New York City 17D

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62,670,0

-7.



For a period in 1947, the Hollywood Film Industry suffered from a prolonged jurisdictional dispute between the International Alliance of Theatrical Stage Employees (I.A.T.S.E.) and the Conference of Studio Unions (C.S.U.). Activity of goon squads during the course of the strike resulted in homes being dynamited, automobiles wrecked, kidnapings, bloodied heads, mass arrests, trials, and lost millions in production.

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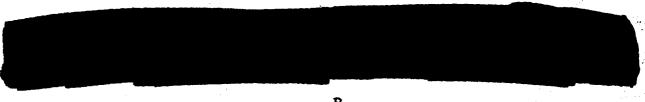
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LA 92-118

An article appeared in the "Hollywood Reporter" on June 19, 1950, stating as follows, "One of the top syndicate gamblers in the country is owed about \$300,000 by officers of a production-distribution company who made partial payment last week of about \$20,000. The deal involves purchase of some of the company's stock. A big story! Worth being made into a picture after the headlines."

A newspaper article appeared in the "Hollywood Reporter" on September 14, 1953, reflecting that Monogram Pictures Corporation, at their November meeting would be asked to amend the articles of incorporation by changing the name of the company to ALLIED ARTISTS PICTURES CORPORATION. Subsequent newspaper articles indicate that this change in name did occur. Newspaper articles in August, 1957, reflect that up to that time STEVE BROIDY was still President of Allied Artists.



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VERNMENT

SAC, NEW YORK (92-649)

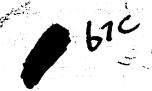
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FROM 7 SAC, LOS ANGELES (92-118)

SUBJECT:

FRANK COSTELLO, was., ANTI-RACKETEERING

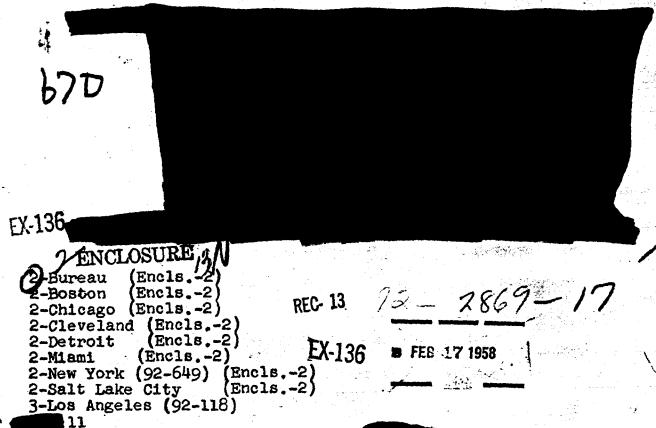
00: New York



ADMINISTRATIVE

San Diego airtel, December 23, 1957, to SAC, New York advised that "A review of San Diego Office indices concerning subject reflects that the following pertinent information is not shown as having been previously furnished New York:

1. Report of SA dated August 9, 1944, captioned 'RACKETEERING ACTIVITIES IN THE LOS ANGELES FIELD DIVISION - INFORMATION CONCERNING' 00 - Los Angeles." The pertinent portions of this report are as follows:



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CHICAGO

CLEVELAND DIVISION

AT CLEVELAND, OHIO

PDD

Will contact to determine identity or any known associates and contacts of subject in Cleveland, Ohio.

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DETROIT

AT DEARBORN, MICHIGAN

byc

Will identify FRANK COSTELLO, who, in 1953, owned property in Los Angeles, California; will ascertain if he is identical with subject of this investigation.

MIAMI DIVISION

AT MIAMI FLORIDA

NEW YORK

AT NEW YORK CITY, NEW YORK

SALT LAKE CITY

AT LAS VEGAS, NEVADA

- 1.) Will report any known association between subject and
- 2.) Will ascertain any business connection between subject and MOE SEDWAY.
- 3.) Will determine if subject has any financial interest in the cigar concession in the Tropicana Hotel.

LOS ANGELES

AT PALM SPRINGS, CALIFORNIA

W111, ascertain if subject has any financial interests or associates in the Palm Springs area.

LOS ANGELES

910'D

LOS ANGELES, CALIFORNIA

AT LOS ANGELES

and determine

LA 92-118

if they possess any information concerning subject's associates or financial interests in Los Angeles area; will also determine any information regarding subject's

alleged association with

2.) Will report results of additional investigation being conducted to ascertain if COSTELLO presently has, or formerly had, a financial interest in

REFERENCES:

New York airtel dated December 11, 1957, to New

Orleans.

San Diego airtel dated December 23, 1957, to New York.
Report of SA dated December 26,

1957 at New York.

67C

FEDERAL BUREAU OF INVESTIGATION FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

SUBJECT: FRANK COSTELLO

FILE NUMBER: 92-2869 SECTION 3

FEDERAL BUREAU OF INVESTIGATION

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Synopsis (contd.)

670

Surmary of results of surveillance available to NYO, which reflects travel, associates, and activities of subject. Reported former gambling activities of subject set out. Reported that subject has or had interest in various business enterprises. Physical description of subject based on personal observations of subject, set out. INASMUCH AS SUBJECT WAS SENTENCED ON 4/15/15, TO WORKHOUSE NYC, FOR ONE YEAR FOR POSSESSION OF A ROYOLVER AND DUE TO HIS REPORTED ASSOCIATION WITH TOP HOODLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

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DETAILS:

At New York, New York

The title of this report has been marked "Changed" to include the name FRANK SAMPSON, a name which subject used at the time he was admitted to Doctors Hospital, New York City, on February 2, 1958.

A. Personal History and Background

1. Birth

Subject's file maintained at the Federal Detention Headquarters, 427 West Street, New York City, as reviewed on January 28, 1958, reflects the subject was born on January 26, 1893, at La Roplia, Italy, and on January 26, 1891, at Calabria, Italy.

The records of the Naturalization Division, United States District Court. Southern District of New York, as reviewed by SA court on January 24, 1958, reflects subject's birth as January 26, 1891, Cozenza, Italy.

2. Education

Subject's file maintained by the United States Probation and Parole Officer, Southern District of New York, as reviewed on January 21, 1958, contains an admission summary prepared on September 18, 1952, while subject was incarcerated at the United States Penitentiary, Lewisburg, Pennsylvania.

As a result of an examination conducted concerning subject's education, the following is noted:

"Average 4.5
Paragraph meaning 4.9
Word meaning 6.6
Language usage 3.0

"Arithmetic reading 4.4 Arithmetic composition 3.9 Spelling 4.8"

During this examination, subject stated he had completed the sixth grade in public school in New York at the age of fourteen, having quit school at his own accord to go to work. The test results show some retardation. Subject probably has normal learning ability, but is not interested in further education at this time.

As a result of a committee summary evaluation of subject, "Subject is of average intelligence and is rather retarded educationally, testing at the fourth grade level.

3. Citizenship

The records of the Naturalization Division, United States District Court, Southern District of New York, which were reviewed on January 24, 1958, by SA The reflect that FRANK COSTELLO filed petition for naturalization number 61756 in this court, on May 1, 1925, and was naturalized on September 10, 1925. Certificate of naturalization number 2136470 was issued. His last place of foreign residence was reflected as Cosenza, Italy, and he arrived in the United States for permanent residence at New York, New York, on April 2, 1895, via an unknown vessel. His birth was indicated at January 26, 1891 at Cozenza, Italy. His spouse, LORETTA, is indicated as having been born on May 2, 1899, in New York, New York. No children are known to have been born to this union. His residence in the United States as of 1923, is listed as 234 Bast 108th Street, New York, New York, and his residence as of 1925, is listed as 2450 Broadway, New York City. His occupation as of 1923, is listed as that of a broker. His occupation during 1925, is listed as being that of "real estate."

MC

Persons who furnished affidavits concerning subject's good character at the time of petition were FRANK A. GROSS, occupation, real estate, 8725 Askroyd Avenue, Jamaica, Long Island, New York, and HARRY C. SAUSSER, occupation listed as real estate, Huntington, Long Island, New York. The above persons stated they had known the subject since January 1, 1920. These records did not contain a photograph of the subject.

It is noted that in subject's file located at the Federal Detention Headquarters, 427 West Street, New York City, when reviewed on January 28, 1958, contains the following information:

"Denaturalization - wiretaps by State officers, admissibility, US vs. FRANK COSTELLO. July 22, 1957, the 2nd circuit reversed judgment of Judge EDMUND L. PALMIERI of the Southern District of New York, dismissing the action for cancellation of naturalization of the notorious racketeer FRANK COSTELLO on the ground that the government's evidence had been derived from wiretaps. The Court of Appeals ruled that Judge PALMIERI had erred in refusing the government's request to demonstrate that its case was based on untainted evidence. The Court of Appeals further held that even assuming arguendo that the government's case stemmed as COSTELLO contended from wiretaps in 1925, 1926, and 1943, dismissal was nevertheless unappropriate. As to the alleged wiretaps in 1925, 1926, the Court of Appeals reasoned that the years of the taps had been aired in a 1926 prosecution against COSTELLO for bootlegging and Section 605 a of the Communications Act of 1934 did not render it a crime to republish information which was lawfully intercepted and divulged prior to the adoption of the 1934 Act.

"As to the 1943 wiretaps, the Court of Appeals pointed out that the taps were made by State officers without FBI conivance and that, therefore, under the recent decision in US vs. BENARTI, 244 F. 2nd 389, evidence from the taps is admissable."

Assistant United States Attorney JOHN W. HASSON, Southern District of New York, advised on January 17, 1958, that the subject had not been denaturalized. He advised that during the trial, in an effort by the government to denaturalize subject, the government offered evidence which subject's attorney objected to claiming such evidence had been obtained through use of wiretaps.

Objection was sustained. The trial judge dismissed the case as the evidence based on wiretaps was needed to sustain a successful prosecution. The government took an appeal to the United States Court of Appeals on this question. The Court of Appeals reversed the decision of the judge in a lower court in favor of the government on the ground that the trial judge arbitrarily excluded evidence because he did not have a proper hearing to determine whether the evidence was legally obtained. The subject appealed on a Writ of Certiorari to the United States Supreme Court and the Writ is now pending before the United States Supreme Court.

4. Residence







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Various photographs of the outside of the building in which subject resides, were taken on January 15, 1958, and these photographs are being maintained by the New York Office (NYO) in instant file.

The subject was observed by SA as he left the building of his residence, 115 Central Park West, New York City, at approximately 10:00 a.m. on February 12, 1958.

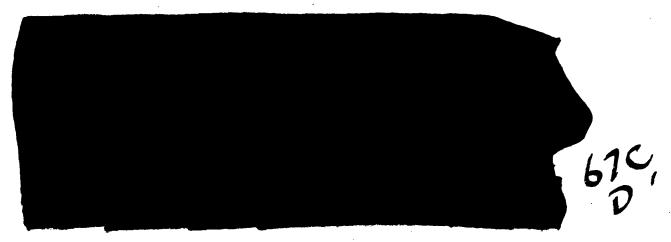
SA examined the Realty Records of the County Clerk's Office, Mineola, New York, on February 5, 1958. The records reflect that by deed dated September 17, 1955, HAROLD and SVEA ELIASBERG, husband and wife of 21 Barkers Point Road, Sands Fcint, New York, conveyed 5 Barkers Point Road to LORETTA B. COSTELLO, subject to purchase money mortgage in the amount of \$3,000.00, which was executed simultaneously with the deed. The mortgage was held by ELIASBERG. The purchase price of this property was not indicated in these records.

These records reflect that on September 14, 1956, an assignment of this mortgage was made by ELIASBERG to KATHRYN FITZGERALD, 425 Cherry Street, Elizabeth, New Jersey. The records indicate that this assignment was made in consideration of \$100.00 The records also indicate that this mortgage is still outstanding.

T-7, a governmental investigating agency.
furnished information to SAS

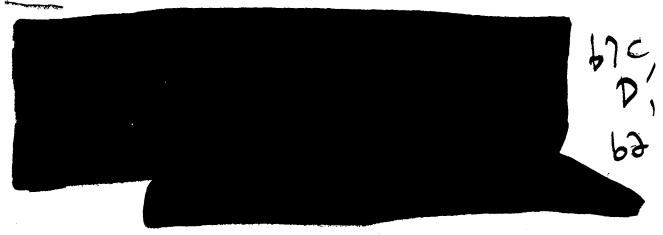
on January 7, 1958, to the effect that
information had been received in the past that a Chief
of Police or some police officer of the Sands Point
Police Department was or had been employed by subject as
a gardener at his Sands Point residence.

470



5. Employment

The subject's file maintained by the United States Probation and Parole Officer, Southern District of New York, as reviewed on January 21, 1958, reflects that the subject had a medical examination on August 25, 1952, while confined at the United States Penitentiary, Lewisburg, Pennsylvania. The results in part, indicate that industrially, subject stated he worked in a grocery store for two years, worked for a real estate firm for five years, and has been a promoter for thirty-eight years. Years ago, while confined at New York City Penitentiary, he worked as an orderly for ten manths. This report went on to reflect the subject claimed to have a malignant tumor and was capable of only light work.







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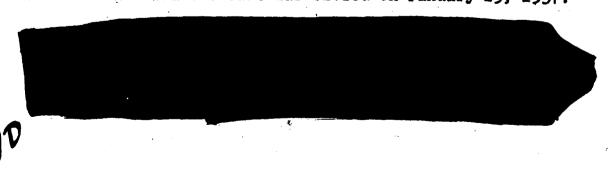
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EDWARD COSTELLO 21-40 21st Street Astoria, Long Island New York

Concerning the tackground of EDWARD COSTELLO, subject's brother, it is noted that in an investigation, conducted by the New York Office in August, 1936, EDWARD COSTELLO, with alias Eddie Costello, was a subject in this matter, however, there was not prosecution in this case and the case was closed on January 19, 1937.



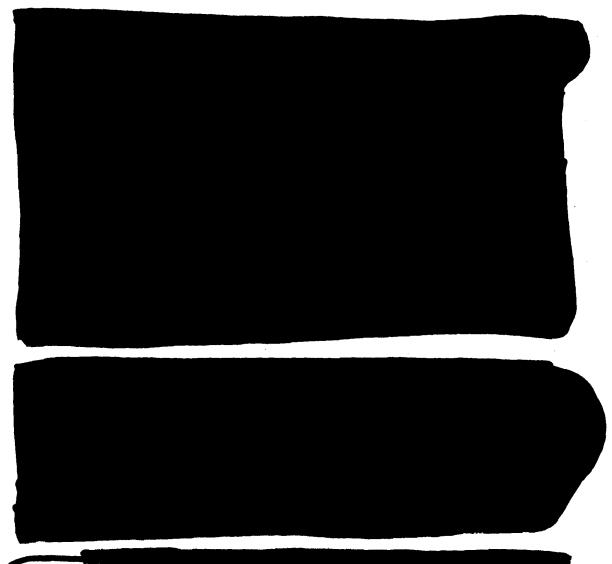




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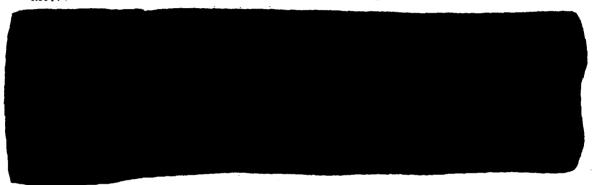
Immigration and Naturalization Service 70 Columbus Avenue, New York City, advised SA January 17, 1958, that he was unable to locate any record for EDWARD COSTELLO.

The records of the Naturalization Division, United States District Court, Southern District of New York,

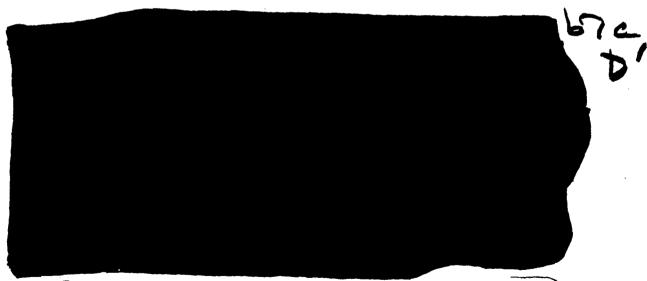
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reviewed on January 24, 1958, by SA Failed to reflect any arrival record for EDWARD COSTELLO. It is noted that Immigration and Naturalization Service only maintains arrival records subsequent to 1897.

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It is noted the New York City Telephone Directory, for Queens, New York, reflects that E. COSTELLO 21-40 21st Street, Astoria, has telephone number YEllowstone 2-0470.



The subject's file at the United States Probation and Parole Office, Southern District of New

York, as reviewed on January 21, 1958, contains an admission summary prepared on September 18, 1952, while subject was incarcerated at the United States Penitentiary, Lewisburg, Pennsylvania.

This summary reflects that both parents of the subject were natives of Italy who immigrated to the United States. The father preceded the family to the United States and was joined by the mother, a sister and the subject, when the subject was about two years of age. The family settled first in Astoria, Long Island, New York, and later moved to the Harlem section of New York City, where the parents operated a small grocery store. Subject's brother reports, "Our parents were very poor and we struggled for existence." All of the children started to work when they were very young.

This summary reflects the subject as the youngest of five children born to his parents' union. Surviving in addition to the subject, are an older brother, EDWARD, an older sister, MAY. EDWARD resides in Astoria, New York. The subject has claimed that his sister is married to a man by the name of GILBIRDIE and is residing in New Orleans, Louisiana. However, other sources indicate that the sister's married name is MARCELINA.

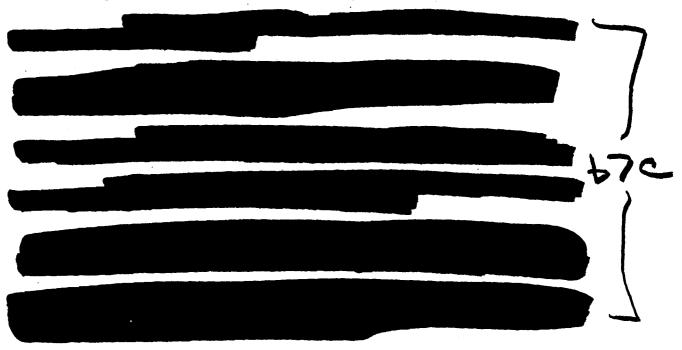
This summary reflects that the subject's brother, EDWARD COSTELLO, was a co-defendant of the subject in November, 1926, on a charge of Conspiracy to Violate the Prohibition Amendment. Other than the foregoing, there is no known delinquency history for any other member of the immediate family according to this summary and the marriage of the subject and his wife has endured to date and Mrs. COSTELLO reports that they have never been separated.

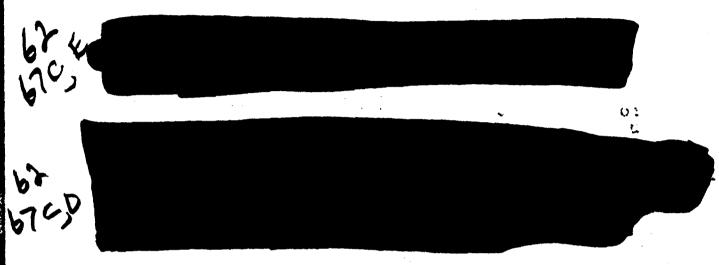
The summary referred to above, reflects the request by DUDLEY GEIGERMAN, 2637 Draux Avenue, New Orleans,

Louisiana, brother-in-law of subject, for a visit with subject while incarcerated. However, the Federal Correctional Institution advised GEIGERMAN by letter on January 9, 1953,/tosvisit the subject could not be granted.

It is noted that in this request, GEIGERMAN further stated that he was at that time forty-four years of age, and that he had been indicted in New Orleans, Louisiana, in 1940, for Income Tax violation, but was acquitted by directed order of the judge. He also admitted in this request his only other arrest was in 1949, for hunting ducks at which time he was fined \$75.00.

The New Orleans Office advised on December 26, 1957, the subject's wife, Mrs. COSTELLO, has the following relatives in New Orleans, Louisiana:





B. Criminal Record

1. Arrest of Subject By Bureau Agents in 1935

During the course of another investigation relating to the Interstate Transportation of Stolen Property, mentioned in a previous New York report in instant matter, subject was taken into custody by Agents of the NYO on May 31, 1935, and in part, subject furnished the following information during interview:

Subject stated he was a betting commissioner, he had no other business, he was not connected with the liquor business and never had been. He advised he was married and resided at 241 Central Park West, New York City. He had no office and his home was his office. He had no connection with the Alliance Distributing Company, 153-157 Fifth Avenue, New York City, which he understood was a liquor distributing company, but he would sometimes go there. He and his wife had no bank account and had not had one in twelve or fifteen years. He advised he owned no stocks or bonds, has no brokerage accounts, and his wife had no independent income.

The subject stated he had known

This was a gambling

establishment and he had a twenty per cent interest in the profits. He put up no money

around with him when he/out at the racetrack as he was a betting commissioner.

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According to the subject, he had known for about two years. He met him when the Piping Club opened the year before last, where

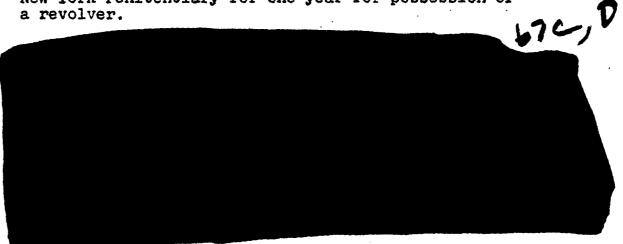
and believed he worked for If
is not around the neighborhood, he would be
in Miami. "I want to tell you something. Here's the
position I'm in. I'm here all my life and I know everybody
and I'm inclined to help almost everyone if possible

with no interest, personal, financial, or otherwise. When they are in trouble, sick, or need rent and I got it, I help them and I believe it is my reputation. This is my only interest in this whole situation and I have nothing else to say."

2. Places of Incarceration

a. New York City Penitentiary Rikers Island, New York

It is noted that the subject, as reported in a previous New York report in instant matter, was sentenced as FRANK SAVERIO on April 15, 1915, to the New York Penitentiary for one year for possession of a revolver.



In a case entitled, Court of General Sessions, County of New York, the People of the State of New York, Against FRANK COSTELLO, Witness, the following is reflected:

In a term of General Sessions Court held on the seventh day of May, 1957, before Honorable JACOB GOULD SCHURMAN, FRANK COSTELLO, on May 7, 1957, after having



been duly summoned and sworn as a witness in a matter pending before such Grand Jury having cognizance against JOHN DOE, ET AL, for the crime of Conspiracy to Commit the Crime of Murder, did refuse to answer legal, proper, and relevant questions which were propounded to him. FRANK S. HOGAN, the District Attorney, having decided that the said questions were legal, proper, and relevant and no lawful reason being given by COSTELLO for not having answered the said questions, directed COSTELLO return to the Grand Jury to answer said questions. COSTELLO did reappear before the Grand Jury on the same day and he persisted in his refusal to answer the questions. Grand Jury was conducting an investigation to determine whether there had been and still was a conspiracy to commit the crime of murder, specifically with whether there had been a conspiracy to kill COSTELLO. COSTELLO was advised in the presence of his attorney, EDWARD BENNETT WILLIAMS, that he could have the constitutional privilege of ascertaining his right against self-incrimination. The subject was shown a Photostat of a copy of something found in his jacket on the night he was shot and he refused to answer whether he recognized it on the advice of his counsel that to answer he feared the answer might tend to incriminate him. He was asked whether he recognized whose handwriting appeared on the Photostat and what he knew about "gross casino wins 4/26/57 \$651,284." and he refused to answer on the same grounds. He was directed to answer as to the nature of the Photostat of the document shown him and he also refused to answer on the grounds it would incriminate him. The subject was informed that under these circumstances, pursuant to a directive from the Grand Jury, would automatically, under law, confer immunity upon himfron prosecution for whatever crimes may be revealed by his testimony and subject refused to answer on the same grounds. The subject advised that he was a sick man and requested additional time to think over the matter. However, the Grand Jury wanted an immediate answer. The subject refused to answer any questions relating to the document found in his possession, whether such document was found in his possession, whose handwriting appeared thereon, what the document meant, and who "L & H" were.

Pursuant to Section 750 and 751 of the Judicial Laws, subject thereafter appeared before the Court of answer to an application made by the foreman of the Grand Jury and the District Attorney, for an order adjudging him in contempt of court. After having further argument by counsel of subject and the District Attorney on the same day, subject still contumaciously and unlawfully refused to answer. The Court asked subject if he still refused to answer and subject stated he wanted a little time as he was entitled to it and subject stated at this time, he refused to answer.

The Honorable JACOB GOULD SCHURMAN therefore, summarily ordered an adjudged subject guilty of contempt of court and ordersthat for the criminal contempt of court, the subject be committed to the workhouse for a term of thirty days.







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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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b Federal Detention Headquarters 427 West Street New York, New York

Subject's file was reviewed on January 28, 1958, at the Federal Detention Headquarters, and file number 28331 reflects FRANK COSTELLO was arrested by the New York City Police Department, on October 9, 1939, for unlawfully conspiring to avoid payment of taxes. He was received at the Federal Detention Headquarters, October 9, 1939, at which time he was fingerprinted. He, at that time, had in his possession \$3.30, and inasmuch as this was only a temporary commitment, he was bailed on October 10, 1939. The subject, at that time, indicated he was born in Italy, was a citizen of the United States, that his wife was LORETTA COSTELLO, 115 Central Park West, New York City, and his occupation was that of a salesman. No attorney of record is listed in this file.

Subject's file number 64136, as reviewed on January 28, 1958, at the Federal Detention Headquarters, New York City, reflects a case entitled "United States versus Frank Costello", number C137/55.

This file reflects that on April 8, 1952, subject was convicted by a jury for refusing to answer certain questions / Fraction 192, United States Code. Subject was sentenced to one year and six months and fined \$5,000.00. He was received at the Federal Detention Headquarters on August 15, 1952, and was fingerprinted on the same date. At the time of his entry into this institution, he had \$114 cash in his possession. He was transferred to the United States Penitentiary at Lewisburg, Pennsylvania, on August 22, 1952.

The files indicate the subject was by occupation a retired real estate operator for eight years. He had no prior military service. He resided with his wife, LORETTA COSTELLO, at 115 Central Park West, and gave his date of birth as January 26, 1893, La Roplia, Italy.

Subject's main file M2884 was reviewed at the Federal Detention Headquarters on January 28, 1958. His attorneys of record were indicated as, LEO C. FENNELLEY, 48 Wall Street, and JOSEPH LEARY DELANEY, 580 Fifth Avenue, both New York City.

Subject was sentenced on May 17, 1954, by the Honorable JOHN F.X. MC GOHEY, United States District Judge (USDJ), Southern District of New York (SDNY), after trial by jury for willful attempt to evade income taxes for calendar years, 1947, 1948 and 1949, in violation of Section 145 (b), Title 26, United States Code (USC). He was sentenced to five years and fined \$30,000.

He was received at the Federal Detention Headquarters on May 17, 1954, and remained until June 19, 1954, at which time he was released on surety bond in the amount of \$50,000, pending disposition of his appeal. It is noted that when he entered this institution, he had \$313.40 cash and a watch in his possession:

On May 14, 1956, subject was recommitted to the Federal Detention Headquarters from bail on appeal and he, at this time, had \$256.50 cash in his possession. On December 5, 1956, he was transferred to the United States Penitentiary at Atlanta, Georgia. However, he went only as far as the United States Penitentiary, Lewisburg, Pennsylvania, and was transferred back to the Federal Detention Headquarters, New York City, on December 14, 1956. Comment in his file on June 10, and June 16, 1956, indicated that subject minds his own business and is well behaved. He is clean in person and quarters, is quiet, polite and minds his own business.

In a per curian of the United States Supreme Court, dated March 11, 1957, in substance states that subject contends that he should have been sentenced under Section 3616 (a) of the Internal Revenue Code of 1939, which makes it a misdemeanor punishable by a maximum of one year imprisonment to file a false return with intent to evade tax, the offense for which the subject was convicted. Pending a final determination of this case, subject is entitled to bail, the government having presented no adequate reason why bail should not be granted. Accordingly, subject was admitted to bail in the sum of \$25,000, pending the disposition of another case. On March 11, 1957, subject was released on bail from the Federal Detention Headquarters.

There is a note in subject's file that on December 14, 1956, at 8:20 P.M., he called TR 4-2325, New York City, and spoke to his wife, and requested that she bring some civilian clothing for him to wear in making a court appearance. This was signed by S.F. OSHINSKI.

The following listed attorneys of subject visited subject on several occasions during the time he was incarcerated at the Federal Detention Headquarters:

JOSEPH LEARY DELANEY 580 Fifth Avenue, New York City, Concerning tax matters;

PETER J. DONOGHUE 580 Fifth Avenue, New York City;

MORRIS L. ERNST 285 Madison Avenue, New York City;

MORRIS SHILENSKY, Associated with the Law Firm of Hays, St. John, Abranson, and Heilbron, 120 Broadway, New York City;

JACK or JOSEPH KOSSMAN 1325 Spruce Street, Philadelphia, Pennsylvania, Associate in appeal of Attorney JOSEPH LEARY DELANEY;

EDWARD BENNETT WILLIAMS 1000 Hill Duilding, Washington, D.C.;

GEORGE WOLF 509 Madison Avenue, New York City.

The subject's file at this institution reflects the subject had the following visitors, while incarcerated at this institution:

Mrs. LORETTA COSTELLO, Wife, 115 Central Park West, New York City, who visited subject numerous times;

Father DANIEL O'ERIEN, Priest 125 East 105th Street, New York City, who visited subject on January 9, 1957;

GEORGE WOOD, whose address appears to be either 40, 42 or 412 Central Park South, New York City, listed as a friend, whose business was indicated as Vice President of William Morris Agency, New York City; he visited subject approximately ten times during subject's incarceration.

Reverend LEONARDO PAVONE, Pastor of Our Lady of Fatima R.C. Church, Manorhaven, New York, who visited subject on two occasions.

On June 4, 1956, the subject made a request to add the name, EDWARD P. O'CONNOR of Long Island City, New York, a friend, to his visiting list. However, the Warden of this institution did not approve this request.

On July 18, 1956, the subject requested that the name, GENE POPE, 47 West 63rd Street, New York City, be added to his mail and visiting list. He advised that POPE was co-owner of the Colonial Sand and Gravel Company. It is noted, however, the Warden of this institution did not authorize the placement of POPE's name on subject's mail and visiting list.

The file reflects that on May 18, 1954, a letter was received from Reverend ANDRE PENACHIO, Associate Pastor of St. Thomas Liberal Catholic Church, 147 West 144th Street, New York City, addressed to Reverend FREDERICK KUETHER, Federal Detention Headquarters, requesting him to arrange a visit for him with the subject. PENACHIO pointed out in this letter that his family has been friends of the COSTELLOS for many years. PENACHIO also indicated in this letter that his residence telephone number was TR 9-7299. It is noted, however, that this requested visit with subject was denied by the Warden of this institution.

WILLIAM J. BAKER, 58-37 Hudson Boulevard, North Bergen, New Jersey, telephone number Union 6-5313, addressed a letter, dated October 11, 1956, to the Warden of this institution, requesting permission to visit the subject with regard to a personal matter of importance to him. He advised in this letter that he had discussed the matter with EDWARD BENNETT, Attorney for subject, who expressed the wish that BAKER should see subject personally. It is noted, however, that the Warden of this institution did not approve this visit.

There is a memorandum in subject's file, dated July 19, 1956, from the Medical Department of this institution, in which it was recommended that the subject be allowed to ride the elevator, hereinaften for all of his meals in the mess hall and his sick line calls each sick period, inasmuch as he has a heart condition, of a moderately severe nature.

c. Other Places of Incarceration

It is noted that information concerning subject's previous incarceration at the United States Penitentiary at Atlanta, Georgia, and in the United States Correctional Institution, Milan, Michigan, was set out in a previous New York report in instant matter. However, the following additional information is noted in subject's file maintained by the United States Probation and Parole Office, SDNY, as reviewed on January 21, 1958:

In an admission summary prepared on September 18, 1952, at the United States Penitentiary, Lewisburg, Pennsylvania, where subject was at that time confined, the summary reflects FRANK COSTELLO, Registry Number 20125-NE, true name, FRANCISCO CASTAGLIA, was reported to have been born on January 23, 1893, in Italy.

This summary reflects the following information:

"This is a 59 year old man, married, naturalized citizen, of Italian birth and Italian immigrant parentage. He was reared in the slum area of New York City, he has risen from this lowly status to a position of eminence in underworld circles. He is reputed to be the head of a far flung gambling empire having entered this field after beginning illegal activities in the field of bootlegging during the prohibition era. Source material indicates that he has been associated in illegal enterprises since his late adolescence However, except for a conviction for carrying a gun during the early adult years, he has, until the instant conviction, avoided prosecution, although he has been a defendant in a number of previous federal cases.

"He impresses as being an individual of rather low cultural status, but possessing a considerable degree of native shrewdness. His influence has been felt in legitimate political areas, as well as underworld circles. Newspaper publicity in this case has also indicated that he has been an impressive contributor to various charitable organizations. At the present time, subject seems to be preoccupied with his own problems and expresses little interest in the institutional program indicating willingness to accept whatever assignment is felt suitable for him."

Notation reflects that subject gets along well in his quarters. He cooperates with the officers and the institution did not expect that it would have any cutodial problem with the subject. He was designated moderate status medically, because of a throat condition and due to his age. Subject was assigned to the discharge clothing issue detail, where he would be given duties commensurate with his age and physical condition. Cell quarters were designated at his request and close custody was designated because of subject's prior record, his notoriety and a possibility of an immigration warrant for deportation being filed.

The records of the United States Probation and Parole Office reflects that subject was transferred to the United States Penitentiary at Atlanta, Georgia, on October 10, 1952, Registry Number 72866-A. He was interviewed by the Classification Committee on October 23, 1952. Subject had little to say, when interviewed, and when he was told of his assignment and asked if he had any comment to make, he replied that he did not and was getting along satisfactorily. The Committee felt the subject should be given some assignment, where he could receive close supervision. Accordingly, he was assigned to the light duty clothing issue department.

The records of the United States Probation and Parole Office reflects that the subject was admitted by transfer to the Federal Correctional Institution, Milan, Michigan on December 26, 1952 under Registry Number 16433-MM. He was convicted and sentenced to eighteen months for Contempt of Senate Subcommittee investigating crime. The sentence began on August 15, 1952, and he was to be eligible for parole on February 14, 1953. His minimum sentence was to expire on October 29, 1953, and his maximum sentence was to expire on February 14, 1954.

The subject's transfer to this institution was the result of a writ of habeas corpus, which subject filed, while in Atlanta. His writ was based upon the fact that he was confined in a pentitentiary type institution, while his sentence imposed for misdemeanor, indicated that he should have been admitted to a common jail.

In a special progress report, dated January 6, 1953, his cell rating was fair. However, he had been cautioned twice about a dusty cell and he was a bit reluctant. He appeared to be trying to live up to his reputation as a "big wheel". A notation indicates the subject did keep himself very clean.

This file indicates the subject's parents were deceased and were never naturalized American citizens. His only correspondent was his wife, who was in good health and well provided for. According to these files, the subject planned to reside with his wife in New York City, and as he was retired from his various enterprises, subject stated he would be supported by income from property he owned.

While at this institution, subject indicated a preference to work in the hospital, if possible, as he suffered from chronic laryngitis, and he would like to be where he could receivefrequent throat spraying.

This file indicated that subject's attorneys of record, while incarcerated at the Federal Correctional Institution at Milan, Michigan, were GEORGE WOLF, 509 Madison Avenue, New York City, and JOSEPH LEARY DELANEY, associated with the Law firm of Wagner, Kullinnan, Wagner and Tennant, Empire State Building, New York City.

The subject's wife, LORETTA COSTELLO, sent subject a telegram on February 5, 1953, while subject was incarcerated at the Federal Correctional Institution. The telegram states "Dear Frank, Saw Mr. WOLF Parole Board seemed receptive. We are praying for the best. Mr. Delaney will visit you Friday. Don't worry. Lots of love, Loretta Costello."

A parole progress report, dated January 12, 1953, at Milan, Michigan, reflected that subject had been assigned to work in the clothing room under close custody, and he was getting along satisfactorily. His general attitude had been satisfactory and no difficulty had been encountered in the handling of the subject.



The subject had submitted the name, GENEROSA POPE, Publisher of the "New York Sunday Enquirer", as his advisor. The forms were completed by Mr. POPE and were returned to the institution. Subject had made no plans, as yet, regarding employment, and his residence, upon release from this institution will be with his wife, LORETTA COSTELLO, 115 Central Park West, New York City.

It is noted that GENEROS POPE, SR. is deceased.

The subject's record was completed for parole purposes. However, the Parole Board denied subject's parole on February 20, 1953, in favor of continuing the subject's present plan at that time.

3. Fines Levied Against the Subject

On January 17, 1958, Assistant United States Attorney (AUSA) JOHN W. HARBON, Claims Unit, United States Attorney's Office, SDNY, made available subject's file for review. The file reflects that on May 17, 1954, under Court Docket Number C141-9, subject was sentenced to five years and fined \$30,000 for evasion of income taxes. On the same day, a civil judgement of \$30,000 was entered against the subject.

In addition, this file reflects the following information:

On May 20, 1954, Honorable HENRY W. GODDARD, USDJ, SDNY, ordered FRANK COSTELLO to make discovery on his oath concerning his property, income, assets and other means of satisfying a \$30,000 judgement.

On May 27, 1954, COSTELLO was sworn in by the Clerk in supplementary proceedings. Thereafter, he appeared before AUSA CLARENCE C. FERGUSON in the office of Mr. FERGUSON. JACOB FIELD of the United States Internal Revenue Service was present at this time. COSTELLO's attorney, JOSEPH LEARY DELANEY, advised FERGUSON that checks totalling \$30,000 would be tendered by the subject and his wife. Subject's attorney pointed out to FERGUSON that the Commissioner of Internal Revenue had filed liens against the bank accounts, on which such checks would be drawn and stated it would be necessary to obtain clearance of such checks from the Director of Internal Revenue. The examination was then adjourned to June 7, 1954.

On June 7, 1954, subject and his attorney appeared before FERGUSON and subject's attorney tendered two checks totalling \$30,000 to AUSA FERGUSON drawn against the Hudson River Branch of the Corn Exchange Bank and Trust Company, dated May 27, 1954, payable to the Clerk, United States District Court (USDC), SDNY. One check was drawn against subject's account in said bank in the amount of \$27,000 and the other check, having been drawn against the account of the subject's wife in the same bank in the amount of \$3,000. FERGUSON refused to accept these checks.

Thereafter, on the same day, AUSA FERGUSON, the subject and his attorney appeared before Honorable EDWARD A. CONGER, USDJ, at which time the examination was adjourned until June 8, 1954, in order to give subject's attorney an opportunity to confer with the District Director of Internal Revenue in reference to releasing funds against which such checks were drawn.

On June 3, 1954, FERGUSON advised the court that the Director of Internal Revenue would not release subject's funds. The examination was continued and subject was asked the following questions:

- "Are you married?
- "Are you prepared to satisfy the judgement which the United States holds against you out of funds against which the United States does not, at this time, hold a lien?
- "What is your present occupation?
- "Do you own any securities of any nature whatsoever, not heretofore attached or liened against by the United States?
- "Do you have any income whatsoever from whatsoever source, not heretofore attached or liened against by the United States?
- "Do you have assets of any nature whatsoever in the hands of third parties held for your benefit?
- "Do you have bank accounts of any nature, wherever located, which have not been heretofore attached or liened against by the government?
- "Do you own real estate in any jurisdiction whatsoever, which has not been previously attached or liened against?
- "Do you have safe deposit boxes in any financial or custodial institutions, which have not heretofore been attached or liened against by the government?
- "Do you have insurance policies outstanding with any insurance company or any governmental organization, which has taken over such insurance companies, which said policies have not been previously attached or liened against by the government?

- "Do you have a wardrobe consisting of clothing and personal effects over and above those items, which are exempt, pursuant to the Civil Practice Act?
- "Do you have personal jewelry, which exceed the value of \$100?
- "Do you have automobile or other vehicles presently standing in your name or in the names of third parties, which you furnished for consideration?
- "Do you presently own household furnishings and/or appliances over and above the amount, which is specified to be exempt pursuant to the Civil Practice Act?
- "Since October 29, 1953, have you made gifts or other transfers or conveyances of property or property standing in the names of third parties for your benefit to any person or institutions?
- "Since October 29, 1953, have you made sales to any person or any institution of a property referred to in the above questions?"

The subject's attorney advised him not to answer any such questions and the examination was adjourned until June 16, 1954.

On June 16, 1954, the subject was resworn by Judge CONGER and upon examination in open court over objections, the subject was compelled to give his name, marital status, and name of his wife. He was then asked in substance the following questions:

- "Whether he was prepared to satisfy a judgement in the sum of \$30,000, held by the United States?
- "His present occupation?
- "His present source of income?
- "Do you presently have cash in possession, bank accounts, in names which the government has not exerted a lien?
- *Do you have safety deposit boxes in names the government not liened against?
- "Do you have access to safe deposit boxes in name of third parties?
- "Do you have insurance policies with the Sun Life Insurance Company or the Metropolitan Life Insurance Company?
- "Do you have personal clothing exceeding two suits?
- "Do you have personal jewelry exceeding one wedding ring and one watch under \$35 value?
- "Do you have real estate at the present time not designated as a homestead?
- "Have your furnished consideration for purchase of real estate, which you presently have use of?
- "Do you own an automobile or automobiles?
- "Since May 17, 1954, have you made gifts of your property to third parties or made sales of any property to third parties?"

Each of these questions was objected to by the subject's attorney, and when the objections were overruled, and the court directed the subject to answer, the subject refused to answer upon specific advice of his attorney. After objection by the subject's attorney, the government withdrew the question "What is your present occupation?" and urged the question "Do you presently have access to any safe deposit boxes standing in the names of third parties?"

On June 24, 1954, Judge CONGER signed an order to show cause why subject should not be held in contempt for his refusal to answer the questions put to him on May 27, June 7, June 8, and June 16, 1954.

In subject's memorandum, dated June 29, 1954, in opposition to motion to be punished for contempt, subject raised the following points:

"Point 1 No defendant in a criminal case may be compelled to be a witness.

"Point 2 No person in fear of prosecution for tax evasion may be made/answer inquiries concerning his income, assets or other means.

"Point 3 Defendant's right to assert privileges must be tested in light of objection of examination and nature of inquiry, rather than by selection of a few isolated questions.

"Point 4 The presence of federal agents added to defendant's fear of self-incrimination.

"Point 5

Proof of additional circumstances evidencing debts, basis for appealing privilege, is admissable and must be taken into consideration.

"In addition, the so-called Kefauver Committee, especially in its 'third interim report', made this defendant a target for prosecution of myriad types of federal offenses. The Attorney Generals of the United States have taken upon themselves to include the defendant in a list of names they have characterized as undesirable persons and such lists have been circulated among federal law enforcement agencies. The Internal Revenue Department includes the defendant as a tax payer, whose returns are to be examined by the so-called Racket Squad and it is known that all such tax returns are marked with a large 'R' in pencil. The constitutional protection afforded against selfincrimination would be meaningless, if it did not include this defendant's refusal to answer the questions asked, in the light of all the circumstances. In conclusion, it is odd, to say the least, that a defendant, who asserted his constitutional privilege and refused to testify in a six week criminal case, should, while the case is pending on appeal, be compelled to answer under duress of contempt, on the very subject of the criminal case. Yet, it is exactly what the government seeks to do here.

A memorandum of law supported the government's motion to hold FRANK COSTELLO, Defendant and judgement debtor in contempt of court pursuant to Title 18, United States Code, Section 401, and Rules of Criminal Procedure, Rule 42(a) by reason of the willful failure and refusal of said FRANK COSTELLO to make discovery under oath concerning his income, property, or other means of satisfying a judgement held by the United States Government against him.

"On examination in the presence of the court, Honorable EDWARD A. CONGER presiding, COSTELLO asserted a privilege against the incrimination on a privilege founded on the fact that he is a defendant in a criminal action, in which an appeal is presently pending. The government's position was that as to the five questions, hereinafter specified, neither privilege is available to FRANK COSTELLO.

"On the 17th Day of May, 1954, FRANK COSTELLO was sentenced to a term of five years and fined \$5,000, on each of three counts on an indictment returned in the Southern District of New York. His whole fine amounted to \$30,000, for which he is to stand committed, until said fine is paid."

On the 20th Day of May, 1954, an order, duly made by the Honorable EDWARD A. GODDARD, filed in court, requested COSTELLO to appear on May 27, 1954, to make discovery on his oath concerning his property, income, assets and other means of satisfying the judgement held by the United States in the sum of \$30,000, by reason of the fine imposed upon him. COSTELLO appeared on May 27, 1954 and was duly sworn. On June 7, 1954, COSTELLO willfully failed and refused to make discovery on his oath concerning his income, property, assets or other means of satisfying judgement.

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On motion of the United States Attorney, COSTELLO was ordered to appear before Judge CONGER on June 8, 1954. COSTELLO appeared on June 9, 1954, and Judge CONGER ordered the United States Attorney to proceed with the examination in open court.

On June 16, 1954, COSTELLO appeared, and after having been duly sworn and within the presence of the court, failed and refused to make discovery on oath, concerning his income, property, or other means of satisfying a judgement. He refused to answer these questions on the grounds he was a defendant in a pending criminal action and to answer the questions would tend to incriminate him.

The government contended the refusal of COSTELLO to respond to the questions designed to illicit information as to his property in general in the presence of the court, was within the meaning of Title 18, United States Code, Section 401, and Rule of Criminal Procedure, Rule 42(a).

The government pointed out that the fact that COSTELLO was a defendant in a criminal action, in which an appeal was pending, did not give rise to a privilege to refuse to answer questions concerning his means of satisfying a judgement held against him. The government pointed out that the privilege of self-incrimination was not available, as to the questions specified. In conclusion, the government pointed out that COSTELLO was therefore in contempt of the court.

On January 17, 1958, AUSA JOHN W. HASSON, SDNY, advised that an order to show cause to cite FRANK COSTELLO for contempt of court in willfully refusing to answer questions under oath concerning his assets and

property pursuant to an order for examination in supplementary proceedings. The order to show cause was made returnable on June 29, 1954. The government served upon COSTELLO's attorney a memorandum of law in support of its motion on the 24th of June and on the 29th of June, the return day of the order, COSTELLO's attorney served the government with its memorandum of law in opposition to the motion.

On August 5, 1954, after a hearing on the motions, Judge EDWARD A. CONGER ordered that the government's motion was to be withdrawn and that the order was to be vacated.

AUSA HASSON advised that inasmuch as one count of subject's sentence had been reversed, the original fine of \$30,000 had been reduced to \$20,000. He went on to state that to date, subject had not paid any amount of the \$20,000. Therefore, the amount remains unpaid.

It is also noted that in addition, the file of subject, maintained by the Claims Unit of the USA's Office, reflects the following note:

"June 17 To Mr. Ferguson, This morning on the train I read an interesting story that a year ago, girls trying out for the Copacabana Chorus line won or lost the job by a final noid from Costello, who personally sat in on the review.

"/s/ P. Schmitt
An Interested Newspaper Reader"

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The records of the Claims Unit of the United States Attorney's Office for the Southern District of New York, as reviewed on January 17, 1958, reflects a letter dated January 19, 1953 apparently from the Special Warrant Section of the Internal Revenue Service, New York City, concerning FRANK and LORETTA COSTELLO, 115 Central Park West, New York City. This letter reflects that liens had been served for tax payers FRANK and LORETTA COSTELLO with the following firms or places:

Corn Exchange Bank, 72nd Street and Columbus Avenue, New York City

First National Bank of Hollywood, Hollywood, Florida (Safe Deposit Box)

Central Savings Bank, Broadway and 73rd Street, New York City

Port Washington-Manhasset National Bank, 79 Main Street, Port Washington, Long Island, New York

New York Trust Company, Seventh Avenue and 39th Street, New York City

Sun Life Assurance Company of Canada, 1180 Raymond Boulevard, Newark, New Jersey

Prudential Life Insurance Company, Newark, New Jersey

New York Life Insurance Company, 51 Madison Avenue, New York City (Escrow)

G and K Garage, Incorporated, 230 West 68th Street, New York City

Hewett and Hamm, 10 Irma Avenue, Port Washington, Long Island, New York

R. H. Macy, Herald Square, New York City (bank)

Mark Rafalsky and Company, 2112 Broadway, New York City

Walston, Hoffman and Goodwin, 35 Wall Street, New York City (Waldorf Astoria Hotel Branch)

Chanin Management, Inc., 122 East 42nd Street, New York City

Beverly Country Club, Barre Road and Jefferson Highway, New Orleans, Louisiana

Halman-Morris Lease, R.L. Morris-A. Lease and R. L. Morris B. Lease-Kingwood Oil Company, Cravens Building, Oklahoma City, Oklahoma

Brevil Petroleum Corporation, 2507 First National Building, Oklahoma City, Oklahoma

Louisiana Mint Company, 2501 Chartees Street, New Orleans, Louisiana

Batchman Lease-Crum Lease, care of Rean Oil Company, Russell, Kansas

County Clerk, Newark, New Jersey

United States District Court, Newark, New Jersey

County and Parish Offices, New Orleans, Louisiana

County Clerk, Wise County, Decatur, Texas

United States District Clerk, Fort Worth, Texas

United States District Clerk, Abilene, Texas

County Clerk, Jack County, Jacksboro, Texas

County Clerk, Oklahoma City, Oklahoma

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United States Clerk, Oklahoma City, Oklahoma
County Clerk, Rice County, Kansas
County Clerk, Barton County, Kansas
United States District Court, Kansas City, Kansas







FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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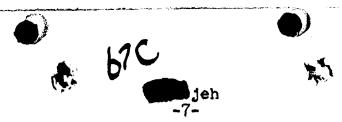
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On January 17, 1958, Assistant United States Attorney JOHN W. HASSON, Claims Unit, United States Attorney's Office, Southern District of New York, furnished subject's file, number 118089 entitled, "United States versus FRANK COSTELLO" number C137-55 and C136-84.

In this file there is a closing memorandum dated January 16, 1953 which states the following: "The above named defendant was found guilty after trial of violation of Section 192, Title 2, United States Code, for refusing to testify before a Senate Subcommittee investigating crime. On April 8, 1952, Judge SYLVESTER J. RYAN sentenced the defendant to one and one half years in jail and a fine of \$5,000.00 to stand committed. The defendant filed his appeal on the same day. By a decision of the Circuit Court of Appeals, two counts of this indictment still stands reducing his fine to the sum of \$2,000.00. This fine was paid on January 7, 1953 from Registry as evidenced by receipt from the Clerk of this court."

Assistant United States Attorney HASSON also advised on January 17, 1958, that there was a \$500.00 fine imposed on the subject by Judge JOHN F. X. MC GOHEY, Southern District of New York, on December 10, 1954 for contempt inasmuch as subject had refused to answer pre-trial questions relating to hearings in an effort by the Government to denaturalize subject. He advised, however, that this fine is still pending inasmuch as the Government's case, in an effort to denaturalize subject, has not yet been determined, as it is presently pending before the United States Supreme Court.



The New Orleans Office advised on
December 26, 1957, that a review of the records of
the United States District Court, Eastern District
of Louisiana, was made by SA

The
records reflect that COSTELLO was tried in May, 1939
in criminal case number 19751 and charged with conspiracy
to violate the Federal Income Tax laws. PHILIP KASTEL,
alias HAROLD MILLER, was the principal individual
indicted in this matter and he was charged with
reporting the following income for 1936: Salary from
WILLIAM WHITLEY, Glasgow, Scotland, \$33,573.00; Salary
from Bayou Novelty Company, \$78,955.83; Total salary, \$112,528.83;
Less New York State taxes, \$2,457.11; Net income, \$110,071.72;
Community property income, \$55,035.68; A tax of \$10,969.04.

The Government alleged that MASTEL'S income was as follows: Salary from WILLIAM WHITLEY, Glasgow, Scotland, \$33,573.00; Salary from Bayou Novelty Company, \$267,778.81; A total of \$301,351.81; Income tax, State of New York, \$2,467.11; A net income alleged to be \$298,894.70.

The Government further alleged that AASTEL'S reported income for the year 1937 was as follows: Salary from WILLIAM WHITLEY, Glasgow, Scotland, \$31,929.30; Salary from Bayou Novelty Company, \$56,461.94; Total, \$98,391.21; Less State of New York Tax, \$6,724.66; Net income, \$91,666.58; Community Property, \$45,833.29; A tax of \$7,964.82.

The Government under this indictment alleged KASTEL'S income from the William Whitley Company, Glasgow, Scotland to be \$35,189.32. His income from the Bayou Novelty Company, \$258,718.73; Total, \$293,908.05, less New York State Tax, \$6,724.66; a Let Income of \$287.183.39.



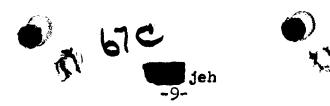
FRANK COSTELLO, DUDLEY GEIGERMAN, HAROLD GEIGERMAN, with alias HAROLD MILLER, JAMES BROCATO and JACOB ALTMAN, were charged in a conspiracy with KASTEL in destroying records of the Bayou Novelty Company, preparing and filing fraudulent income tax returns for the Bayou Novelty Company and for the above mentioned members of the Bayou Novelty Company.

The Government further alleged that KASTEL was not entitled to a community property deduction on his income as he was a resident of Stanford, Connecticut.

All defendants were found not guilty in a jury trial. The court records do not contain a transcript of the testimony and all exhibits have been returned to their owners.

It is noted that two Civil Judgments are on record at New Orleans against the subject. They are Civil Docket numbers 335 and 356. Process was served on Attorney ROBERT LINK for COSTELLO. A default judgment was obtained against COSTELLO for delinquency in his income tax for the years 1927, 1928, 1930, 1937, 1939 and 1940. Judgment was entered on June 24, 1942 with interest and penalties. However, the court record does not indicate that these judgments have been satisfied.

According to the New Orleans Office,
HUGH WILKINSON represented the defendants KASTEL,
DUDLEY and HAROLD GEIGERMAN, BROCATO, ALTMAN and
the subject. WILKINSON is a prominent Attorney
in the City of New Orleans regarded as most capable
and no known criminal connections. Also according
to the New Orleans Office, ROBERT LINK is a well known
New Orleans Attorney and has no known criminal associates.



The New Orleans Office advised on December 27, 1957, that the records of the United States Attorney's Office, New Orleans, Louisiana, reflect that all judgments obtained against the subject have been satisfied and the court costs have been paid. The subject paid a total of \$24,286.90, which constituted the total judgment plus interest as of February 20, 1947.

4. Records of Court Appearances of Subject

In an article of the "New York Mirror" of December 17, 1957, the following is noted:

"Gambler Frank Costello yesterday lost a motion to have his conviction for income tax evasion set aside, and the government moved to return him to prison.

"Immediately after denial by Federal Judge McGohey of Costello's motion, which also had asked for a new trial, Assistant U. S. Attorney Arthur Christy prepared papers asking the surrender of Costello on Thursday. Both Costello and his attorney were served papers, calling for their appearance at 10:30 a.m. before Judge McGohey to show cause why he should not be remanded to prison.

"COSTELLO, of 115 Central Pk. W., was convicted in 1954 of evading \$28,532 in taxes for 1948 and 1949, and was sentenced to five years. He had served 11 months of the term when the Supreme Court ordered his release in \$25,000 bail on March 11, 1956, pending review of the conviction.

"The Supreme Court on June 3, 1956, upheld the conviction and sentence, but Costello remained free pending decision of the motion before McGohey.



"Costello, 66, asked the conviction be set aside on grounds that it was obtained through illegal government use of wiretap evidence and also because the government had introduced evidence which was inadmissible since it was obtained through a 'mail watch' which interfered with delivery of mail to his home.

"Though the Supreme Court a week ago Monday held that wiretap evidence obtained by state offices may not be admitted in Federal Court trials, McGohey ruled that Costello 'failed to show that at any time his telephone was tapped by Federal agents' or that 'any evidence adduced against him at the trial resulted, either directly or indirectly, from interception by Federal agents or any telephone conversation in which he participated.'

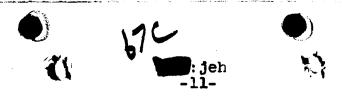
"Morris Shilensky, one of Costello's attorneys indicated an appeal will be filed."

In an article appearing in the "New York Telegram and Sun" dated December 18, 1957, the following is noted:

"U.S. District Judge John F. X. McGohey today ordered that Frank Costello surrender at 3:30 p.m. Monday--two days before Christmas--to resume serving a five year sentence for tax evasion.

"New defense efforts were expected, however, based on the plea that the 66 year old mobster should be allowed to spend the holidays at home. The plea will probably be made Monday by Edward Bennett Williams, Costello's lawyer."

Assistant United States Attorney ARTHUR H. CHRISTY, Southern District of New York, advised on December 20, 1957, that although subject was scheduled to surrender on December 23, 1957, to complete his sentence on his 1954 conviction for



income tax evasion, he felt certain that a motion for bail pending appeal of this decision would be granted.

It is noted that Judge JCHN F. X. MC GOHEY on December 16, 1957 denied subject's motion to set aside his conviction and ruled that subject surrender on December, 1957. However, Judge MC GOHEY later ruled that subject must surrender at 3:30 PM on December 23, 1957.

In an article appearing in the "New York Herald Tribune" dated December 24, 1957, the following is noted:

"A Federal Judge noting that Frank Costello's lawyer argues 'very persuasively,' and besides, 'it is now ten minutes after 4 on the day before Christmas eve,' yesterday gave the gambler until January 6 to surrender and resume serving his five-year sentence for income tax evasion.

"The first thing the sixty-seven-year-old Costellodid -- he was scheduled to go to prison at 3:30 P. M. yesterday--was to motion to an aid in United States District Court and rasp, 'Call up Loretta and tell her I'll be spending Christmas at home--we'll be having dinner together after all.'

"Loretta has been Mrs. Costello for more than forty years, and Costello, who is generally undemonstrative, also kissed flush on the left cheek a girl reporter whom he has known almost as long as his wife.

"Sentence Reversal Denied
"Last week Judge John F. X. McGohey refused
to set aside the former kewpie doll salesman's 1954
conviction, one principal ground being that the
government had used tainted evidence obtained from

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state wiretaps. Edward Bennett Williams, Costello's lawyer, argued yesterday that the higher courts should review Judge McGohey's decision and pleaded for continuance of bail pending that appeal.

"But Chief Assistant United States Attorney Arthur H. Christy observed that forty-three months had passed since the defendant had been convicted and that he had only served about eleven months of his five-year term, the case twice having gone to the United States Supreme Court. He said:

'Costello has had his day plus one in court since 1954.'

"Costello was alternately studying his highly-polished finger nails and fingering a maroon Christmas tie bearing the hand-lettered initials FC when Judge McGohey began to speak. The judge noted that there was no question in his mind that Costello was only stalling for time to stay out of jail, but then said:

'I do not believe I should grant (continuance of) bail. But you argue very persuasively, Mr. Williams. And I'm old enough to believe that I am not infallible. I will stay the surrender until noon of Monday, Jan. 6.

'Defendant is continued on bail (\$25,000) until then. You can apply to the Court of Appeals for bail.'

"That means that unless Costello is able to convince the higher court, through Mr. Williams, that he should be continued on bail pending appeal, he must surrender the Monday after New Year's.

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"In lighting up a cigarette as the judge dismounted the bench, Costello first put the match to a cigarette of a reporter standing near him. By his side were not only Mr. Williams, but two other lawyers, George Wolf and Morris Shilensky, who have represented him through the years."

Chief Deputy United States Marshal THOMAS FARLEY, Southern District of New York, advised on January 6, 1958, that subject had not surrendered on this day. He advised, however, that the United States Court of Appeals, Second Circuit, on this date continued the subject on bail pending the Court of Appeals decision as to the status of subject's bail, pending his appeal.

In an article appearing in the "New York Herald Tribune" dated January 7, 1958, the following is stated:

"Three judges yesterday closely cross-examined a Federal prosecutor seeking to jail Frank Costello pending argument on a new trial for income tax evasion.

"The three, of the United States Court of Appeals, pumped sharp questions and interrupted Chief Assistant United States Attorney Arthur H. Christy several times. This was after Edward Bennett Williams, the gambler's lawyer, argued that his client was entitled to a new trial on the basis of new evidence.

"Reserve Decision

"The court, ranked only by the United States Supreme Court, reserved decision on whether Costello should be continued on bail pending detailed M jeh

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argument for retrail. It permitted him to stay free for the time being. He was slated to surrender at noon yesterday--while opposing counsel were arguing.

"Mr. Williams maintained that Costello, now sixty-seven, was illegally convicted in 1954 of evading \$28,000 in taxes on the ground that the government used state wiretap information, had a cover on Costello's mail for three years prior to his indictment-getting evidence that way--and inspected the income tax returns of 150 prospective jurors to make sure it got a 'favorable' jury in the box.

"Called 'Frivolous'

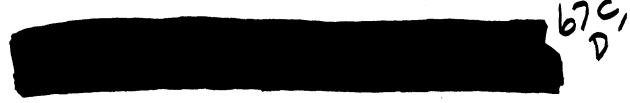
"Mr. Christy insisted the appeal was 'frivolous' and 'dilatory' and noted that the Federal judge who had conducted the trial, John F. X. McGohey, had ruled that even if the state wiretaps were discarded the government had still presented sufficient other evidence to sustain a conviction."

An article in a January 9, 1953 copy of the "New York Herald Tribune" stated that:

"Frank Costello's luck continued yesterday. In a two-to-one decision, the United States Court of Appeals ruled that he could continue free in \$25,000 bail pending argument on appeal of his 1954 conviction for income tax evasion on the ground of new evidence.

"Judges Carroll C. Hincks and Leonard P. Moore sided with the gambler and ordered that he file his appeal brief by Feb. 10 and that the appeal be put on the calendar for argument during the week of March 10. Judge Sterry R. Waterman dissented."



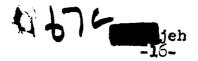


5. Other Legal Actions Involving Subject

The records of the County Clerk's Office, New York Supreme Court, New York City, file number 34081/1946 was reviewed on January 23, 1958. This is an action by FRANK COSTELIO against ARTHUR W. WALLANDER, for Police Department City of New York, in the matter of claim of FRANK COSTELIO for \$27,200.00. GEORGE WOLF, Attorney, is the Attorney of Record for subject in this matter.

In a hearing conducted on June 17, 1944 by the Property Clerk of the New York City Police Department MAURICE SIMMONS, subject appeared and gave his testimony. Subject was asked upon what facts did he base his claim to the money in the amount of \$27,200.00. The subject stated, "It is my money. I lost it."

Subject testified at this time that at about 12:55 PM, on Wednesday, June 14, 1944, he hailed a cab on 34th Street and Eighth Avenue, and instructed the driver to take him to the Sherry Netherland Hotel, 59th Street and Fifth Avenue. He at that time had in his pocket a package which contained two envelopes which contained money. He testified in substance that he got out of the cab on 59th Street at the Sherry Netherland Hotel, walked into the lobby of this hotel and while in the lobby, he noticed the money was missing. He was later notified that the missing money had been located and had been turned in to the 67th Street station of the New York City Police Department. He testified



that \$15,450.00 of this money was in one envelope marked "F.C." in \$100.00 bills, with one \$50.00 bill among the \$100.00 bills. The other envelope contained \$11,750.00 in \$100.00 bills and a single \$50.00 bill was in this amount. The subject was asked why he was carrying this large amount of cash in his pocket and he stated that he was in the real estate business. He stated he was to meet his Attorney Mr. WOLF that day to turn over to him \$15,000.00 in cash for a real estate transaction. According to the subject, the balance of this amount of money he had borrowed to pay his income tax on the fifteenth day of June. He advised he was to use \$11,000.00 for living expenses and fiscal debts. Subject was asked from whom did he obtain this sum of money and he answered that the \$15,000.00 was the accumulation of a certain persons debts over the last four or five years. This person gave him in one lump sum, the accumulation of sums due from this person. However, subject stated he did not want to state from whom he received this money. He was asked what was the nature of this debt and he stated the money had been advanced and had accumulated over years in the amount of \$15,450.00. He advised that he had borrowed \$11,000.00 from someone whose name he refused to disclose.

GEORGE WOLF, the subject's Attorney, testified on the same day and he was questioned as to what he knew about the possession of this large sum which his client, the subject, claimed. WOLF stated the subject was the President of a real estate corporation, the 79 Wall Street Corporation. He stated the corporation owned the 79 Wall Street Building and also other buildings on the same block. In fact, the entire block. They had negotiated for the purchase of several pieces of property and they had arranged for subject to bring \$15,000.00

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to his office on June 14, 1944 which was to be deposited in the 79 Wall Street Corporation account. WOLF testified the subject had advised him that the \$15,000.00 was to be provided from moneys that were being paid by someone who owed it to subject. Several days before he had also told him that he was borrowing some money for the purpose of meeting some debts and to carry himself along by reason of the fact that shortly before he had paid over \$8,000.00 as his June quarterly installment on his income tax.

EDWARD WATERS, Taxi Driver, 361 West 51st Street, New York City, also testified on the same day. He stated that subject had gotten into his cab opposite the Hotel New Yorker on Eighth Avenue between 34th and 35th Streets on June 14, 1944 at about 12:55 PM. Subject departed his cab at the Sherry Netherland Hotel and after subject had entered the hotel, he, (WATERS) noticed the two envelopes on the seat of his cab. He immediately yelled after this individual and apparently this individual did not hear him. After he opened the envelopes and observed the money, he immediately drove to the 19th Precinct, New York City Police Department, located on 67th Street and turned the envelopes containing the money over to Sergeant BURKE. WATERS testified that he was positive that subject had been his passenger.

The subject was served with a subpoena dated October 4, 1946 issued by ARTHUR W. WALLANDER, Police Commissioner, City of New York, which requested subject to appear and be sworn before the Property Clerk, the New York City Police Department and give testimony on November 15, 1946 as to any facts relative to the justness of his claim for \$27,200.00 against the Property Clerk presented by him on June 17, 1944.



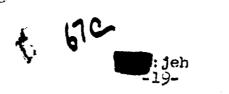
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On November 14, 1946, the subjects Attorney GEORGE WOLF submitted a motion to quash the subpoena in that the examination of the subject was not sought in good faith. He pointed out that the \$27,200.00 was accidentally lost by the subject while riding in a Taxicab on June 14, 1944. On June 17, 1944, at the request of the Property Clerk, subject appeared at the Property Clerks Office and was examined under oath by the Property Clerk regarding his claim to the lost money. The Taxicab Driver and two other witnesses were likewise interrogated by the Property Clerk. The examination was concluded on that day and culminated in a refusal on the part of the Property Clerk to return the money to the subject. Subject was thereby compelled to seek redress in Court by the commencement of a replevin suit against the Property Clerk. He pointed out that two years and five months had elapsed since the conclusion of subject's examination by the Property Clerk and no suggestion in the meantime was given of a desire for further examination of the subject by the Property Clerk.

The subject's Attorney pointed out that subject was subpoensed for the purpose of being harassed and annoyed in violation of his legal rights and that his examination was not sought in good faith but for ulterior, illegitimate and unlawful purposes. He pointed out there was no sound excuse for subjectsexamination and its obvious purpose was either to intimidate subject into abandonment of his replevin action, or to subject him to such harassment, annoyance and inconvenience as to hinder and delay the train of his law suit and to seriously prejudice and injure his rights.

The memorandum of subject's Attorney in support of subject's proposed order, also requested



that the reasons for the proposed provisions that the examination be conducted privately and limiting the individuals to be present to the witness, Property Clerk, Assistant Corporation Counsel, Counsel for witness and shorthand reporters. He pointed out that if the intentions of the Property Clerk were founded in good faith, there was no necessity for publicity. The disclosure in the public press of the names of the persons from whom the subject received the \$27,200.00, may cause him irrepairable harm at this time and result in the perversion of justice of his pending replevin suit.

On November 15, 1946, Assistant Corporation Counsel FRANK J. HORAN filed a motion which requested that subject's application to quash the subpoena be denied because:

The Court of Appeals has upheld the validity of the Power of Examination of the Property Clerk and the power of the Police Commissioner to issue a subpoena to effectuate such examination.

The examination A. is reasonable and necessary and is soughtin good faith by the Property Clerk and Police Commissioner and is in fact, necessitated by subject's unjustifiable and arbitrary refusal heretofore to furnish the Property Clerk with necessary information with respect to the \$27,200.00. Particularly, the name and address of the persons who allegedly gave him the moneys and of the persons who made notations on the envelopes containing the moneys.

Time June 17, 1944, examination of subject was never concluded or closed and the Property Clerk now seeks a continued and further examination of subject pursuant to law.



Subject in no wise is prejudiced by the proposed examination but said examination is desirable and necessary in the interest of justice.

This motion also pointed but the subject had entered into a stipulation with the intervenor the United States of America in the action of FRANK COSTELIO against FRANK LEUCI as Property Clerk of the Police Department of the City of New York. This stipulation stipulated that the claims of the intervenor were not disputed and that the amount due and owing to the intervenor of said claims on June 14, 1944, was \$28,914.06, that no part of this amount had been paid and that this amount, plus accrued interest from June 14, 1944, was still due and owed to the intervenor.

ARTHUR W. WALLANDER, the Police Commissioner of the City of New York, being duly sworn, furnished a deposition on November 14, 1946 which in substance reflects that subject's protestation of lawful ownership contained in his affidavit, was flatly contradicted by the physical facts surrounding the moneys and the envelopes containing the moneys. He charged that such moneys were the proceeds of subject's illegal activities. The subject's claim of lawful ownership was further discredited by his unsavory record and reputation and his career of illegal activities by his own admission given in testimony before Honorable CHARLES SEARS, Official Referee on October 25, 1943, subject for over twenty years, has carried on an assortment of illegal ventures including bootlegging, slot machines, horse race gambling, commission brokerage, gambling establishment and has associated with a multitude of notorious criminals.

In a deposition of EMIL JAHELKA, Deputy Inspector, New York City Police Department of November 21, 1944, the following is stated:



"Deponent has examined in the office of the Property Clerk, two envelopes, one containing \$15,450.00 in United States currency and the other containing \$11,750.00 in United States currency. It appears that these two envelopes and the moneys therein contained were turned over on June 14, 1944, by one EDWARD WATERS to the 19th Police Precinct Stationhouse and thereafter were turned over to the Property Clerk.

"The first envelope containing the \$15,450.00 bears on the outside of the envelope, the pencil notation '15,450' and in the lower right hand corner the pencil notation 'F.C.' '4'. The second envelope containing the \$11,750.00 bears the pencil notation '11750' and in the lower right hand corner the pencil notation 'F.C.' '5'. Both envelopes are odd sized and of the same make and size. The notations 'F.C.' '4' and 'F.C.' '5' appear to be in the same handwriting. The notations '15450' and '11750' appear to be in the same handwriting, but different from that which wrote the 'F.C.' '4' and 'F.C.' '5'.

"Deponent in the course of his work on gambling violations, has visited numerous bookmaking establishments where bookmaking is going on and has seen numerous items of bookmaking apparatus and paraphernalia and is familiar with the practices of bookmakers and the bookmaking racket. On many occasions in visiting horse race betting parlors, or in arresting bookmakers and professional gamblers, deponent has found in such premises or, on the person of the professional gamblers, envelopes containing bills in United States currency in large amounts. In all of such cases, deponent has noted that such envelopes have on the outside notations of the amount of money contained within the envelope, also the name or initials of the bookmaker who was to receive the gambling moneys and in some cases the



envelopes have other numbers of varying meaning in the bookmaking racket. From his experience, deponent knows that the practice in bookmaking is for the 'small' bookmaker or collector who received the bets from the players, to turn over the gambling collections to his boss, the 'higher up' bookmaker by means of envelopes bearing notations as above described.

It is noteworthy that the two envelopes involved in the case, bear notations showing the amounts of money contained therein and also the initials of 'F.C.' which presumably is the plaintiff herein FRANK COSTELLO. It is also noteworthy that most of the bills in both envelopes bear the seal of the Federal Reserve Bank of Atlanta, Georgia and that the numbers of some of the bills in one envelope are close in number to the numbers of some of the bills in the other envelope."

From all of the suspicious facts above stated with respect to the notations on the envelopes and the bills therein contained and from plaintiffs criminal record and from the information of the Police Department with respect to plaintiff's reputation and activities deponent from his knowledge and experience as a Police Officer, is of the opinion and believes that the above mentioned two envelopes were used in or connected with bookmaking and that the moneys therein contained were the proceeds of or were used in carrying on bookmaking!

Subject in a deposition dated November 13, 1946, stated that shortly after June, 1944, he delivered War Savings Bonds a maturity value of \$3,500.00 to EDWARD WATERS which he had promised as a reward.

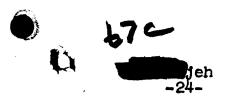
This same deposition of the subject also reflects that a replevin action for the recovery of the money was commenced by him on June 19, 1944. On September 18, 1944, the government intervened in this action and on October 27, 1944, a stipulation was entered into between the Attorneys for the government and subject under which it was agreed that the claim of the government was not disputed and that the amount due was \$28,914.06.

A motion for summary judgment was made by the subject in October, 1944 and the motion was granted. The judgment provided that payment be made to the government. This judgment, however, was reversed by the Appellate Division on June 15, 1945 whose determination was subsequently examined by the Court of Appeals on March 7, 1946.

Subject pointed out that his pending replevin case was adjourned on October 10, 1946 to November 15, 1946. The fact that his proposed examination was set for November 15, 1946, the very date on whichhis case was to appear upon the calendar of itself plainly indicated that the proposed examination was not in good faith but was designed to hinder and clay the trial of his action.

Judge LLOYD CHURCH on November 22, 1946 ruled that the motion to vacate the subpoena for the examination of the applicant was denied and the hearing was set down before the Property Clerk of the Police Department on November 26, 1946.

On November 22, 1946, subject filed a notice of appeal to the Appellate Division of the Supreme Court from the order made on November 22, 1946 by Honorable LLOYD CHURCH.



At a term of the Appellate Division of the Supreme Court held on December 13, 1946, the Honorable FRANCIS MARTIN, Presiding Justice, ruled that the order so appealed from be affirmed with \$20.00 cost and disbursements to the respondent and it was further unanimously ordered that petitioner be directed to appear and be sworn before the Property Clerk of the Police Department at Police Headquarters, New York City, on December 21, 1946 to answer orally as to any facts relative to the justness of a certain account or claim against the Property Clerk which was presented by him on June 17, 1944, the said claim being for \$27,200.00.



The records of the County Clerk of the New York Supreme Court, New York City, file number 13246/1944, entitled "FRANK COSTELLO, Plaintiff, United States of America, Intervenor Against MAURICE SIMMONS, Individually, and as Property Clerk of the Police Department of the City of New York," was reviewed on January 24, 1958, and the file reflects the following information:

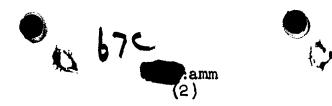
This action in replevin was commenced by subject on June 19, 1944, against the defendant to recover property consisting of currency amounting to \$27,200.00 unlawfully detained by defendant belonging to subject.

The facts upon which this action was based are in substance the same as the facts in the action reported above, and in substance, the facts are that on June 14, 1944, subject entered a taxicab operated by EDWARD WATERS in the vicinity of the Hotel New Yorker, in New York City, and alighted from the taxicab at the Sherry-Netherland Hotel, New York City.

Subject claimed that he had currency amounting to \$27,200.00, lawfully owned and possessed by him when he entered the taxicab, and shortly after he departed this taxicab he noticed the money missing. WATERS turned this money over to the New York City Police Department, and although this money was duly demanded by the subject, the Property Clerk of the New York City Police Department refused to return the money over to subject, no other claimant appeared at the New York City Police Department for this property, except the Intervenor, the United States/America, who claimed a lien for taxes of subject, and this lien was admitted by subject. The contentions of both parties in instant matter are in substance the same as those contentions set out in the above action.

Pursuant to an order of the Honorable J. PECORA, entered on September 19, 1944, the United States of America was granted leave to intervene. A stipulation was entered into by subject, and the Intervence, on October 27, 1944, which stipulated that the amount due and owing to the Intervenor amounted to \$28,914.06, and this was not disputed by the subject.

-69-



On October 27, 1944, the Honorable CARROLL G. WALTER, Justice, Supreme Court, granted summary judgment in favor of subject, directing that the \$27,200.00 payment be made to the United States of America towards the satisfaction of its liens. This judgment was entered on October 31, 1944.

On June 15, 1945, the Appellate Division reversed the order for summary judgment on the ground that there was a question of law present.

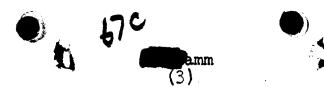
On October 5, 1945, subject's motion for an order for leave to appeal to the Court of Appeals was granted by the Appellate Division.

On March 7, 1946, the Court of Appeals, at Albany, New York, adjudged that the order of the Appellate Division of the Supreme Court appealed from, be affirmed.

On March 22, 1946, the Appellate Division of the Supreme Court ordered that FRANK COSTELLO and the United States, having appealed to the Court of Appeals from an order of the Appellate Division of the Supreme Court, dated June 15, 1945, reversing the order entered in the office of the Clerk of the County of New York, on October 28, 1944, granting motion for summary judgment in favor of the United States in the sum of \$27,301.25, which appeal was taken pursuant to a leave granted by the order of this court dated October 5, 1945, and certifying the following question of law for review by the Court of Appeals, to wit:

"Was the decision of the Special Term of the Supreme Court, New York County, granting Plaintiff's motion for summary judgment, herein correct?"

of Appeals, and that court in an order dated March 7, 1946, having ordered and adjudged that the order of the Appellate Division of the Supreme Court appealed from herein be affirmed with costs and the question certified answered in the negative. The court ordered that the records and proceedings of the court be remitted to the Appellate Division of the Supreme Court, there to be proceeded upon according to law.



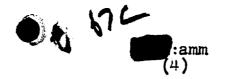
This cause was tried in the Supreme Court before Honorable ERNEST E. L. HAMMER, and a jury on the 29, 30 and 31st day of January, 1947, and a verdict rendered therein for the Plaintiff by a special verdict. The jury also found that the property detained consisted of United States currency in the amount and value of \$27,200.00, and that the Plaintiff was entitled to the return thereof. The jury also found a verdict for the Intervenor, the United States of America, for the sum of \$21,687.16, with interest to be computed and added. The total amounted to \$24,233.60, as per stipulation between respected attorneys for Plaintiff and Intervenor, dated February 4, 1947. A motion by the defendant to set aside the verdict was denied, and also a motion by the defendant to dismiss Intervenor's claim was likewise denied.

It is noted that GEORGE WOLF is the subject's attorney of record.

File number 15414/1944, maintained in the County Clerk's Office of the New York Supreme Court, New York City, was reviewed on January 24, 1958. This file is entitled "In the Matter of the Application of FRANK COSTELLO to Quash and Vacate a Subpoena Issued by CORNELIUS O'LEARY, Deputy Police Commissioner of the City of New York."

The Fourth Deputy Police Commissioner of the City of New York, as of September 20, 1944, was conducting a hearing and investigation with regard to the revocation of the license of the night club, Copacabana. Among the charges against the Copacabana by the New York City Police Department, dated August 29, 1944, were that the Copacabana's application to the Police Department for a cabaret license, dated September 24, 1943, failed to set forth the names and addresses of all persons financially interested in the cabaret, and failed to set forth the complete list of the stockholders of the Copacabana.

In a Bill of Particulars, the Department of Investigation. City of New York, on September 6, 1944, pointed out in part that among those persons connected with, interested in, or part-owners of the licensee corporation, who were dissolute, disreputable individuals engaged in unlawful



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activities in the following respect:

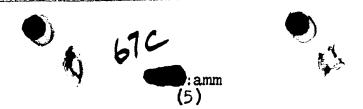
"JULES PODELL has engaged in unlawful activities consisting of, but not limited to, bookmaking, owning, operating or managing speakeasies, procuring women to engage in illicit act; on at least one occssion engaged in various business activities with ex-convicts and racketeers; engaged in activities resulting in being barred by the State Liquor Authority for violation of the State Liquor Act; attempting to procure a witness to swear falsely against an inquiry conducted by the Commissioner of Investigations in 1940; and committed perjury before the Commissioner of Investigations concerning his interest in the Piping Rock Venture, at Saratoga Springs, New York."

"MONTE PROSER has engaged in unlawful activities consisting of, but not limited to, false statements in application and affidavits for the issuance of cabaret licenses for Copacabana Incorporated; engaged in various activities with ex-convicts and racketeers; participated in gambling activities at Piping Rock Venture, Saratoga Springs, New York."

"JOE STEIN has engaged in unlawful activities consisting of, but not limited to, participating in gambling activities at Piping Rock Venture, Saratoga Springs, New York; associated with ex-convicts and racketeers; engaged in bookmaking activities."

"JACK ENTRATTER has engaged in unlawful activities consisting of, but not limited to, participating in gambling activities at Piping Rock Venture, Saratoga Springs, New York, and engaged in various activities with ex-convicts and racketeers."

In the course of the proceedings, the Commissioner issued a subpoena, which was served upon the subject on September 15, 1944, directing him to appear on the same day before a Deputy Police Commissioner of the City of New York, to testify concerning matters alleged and charges pending against the Copacabana Incorporated, the operator of a night club under a license issued by the City.



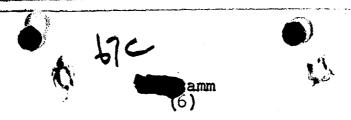
On September 15, 1944, the subject arrived at the trial room of the New York City Police Department, 156 Greenwich Street, and then and there refused to appear and give testimony.

The petitioner moved for an order adjudging and punishing subject for contempt and ordering the arrest of subject, and to hold him until he testified in the proceedings. The petitioner pointed out that care must be taken that the licenses of night clubs should be law abiding persons and that gangsters, gamblers and racketeers, and their associates, should not be permitted to operate such establishments. He went on to point out that subject was a person widely known as a disreputable and dissolute character. His reputation as a gambler and an anti-social individual was spread upon the public records, and had been the subject of judicial inquiry of the Appellate Division of the Supreme Court.

The petitioner also pointed out that "If subject has been or is an associate of the owners, operators or employees of the Copacabana, or associated with Copacabana Incorporated in the conduct of unlawful enterprises, that fact is clearly relevant to a proceeding to revoke Copacabana license."

As pointed out by a special Deputy Commissioner of Investigations, City of New York, subject was called to testify as to a financial interest in a gambling casino owned, maintained and operated by certain officers, stockholders and employees of Copacabana Incorporated, and by the said complaint in association with the subject and other persons of evil repute.

On September 15, 1944, the subject in a deposition made application to vacate the subpoena. The deposition pointed out that the subpoena should be quashed and vacated as it was issued in bad fath. The purpose of his examination was to harass and annoy him to prejudice his lawful rights and to satisfy a desire for revenge on the part of the Mayor of the City, and his Police Commissioner. Subject regarded this attempt to secure his attendance as a witness at a special hearing, as one of many deliberate, willful and malicious efforts to injure him. He pointed out that



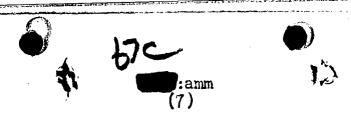
his testimony was not needed in the Copacabana revocation license hearing. According to subject it would not serve any useful or wholesome purpose. As a matter of fact, it would not benefit those seeking to revoke the Copacabana Corporate license, for he was never connected with the Copacabana or had any interest in it directly or indirectly, and his testimony before Referee SEARS did not relate to the Copacabana or to any of its officers, directors or stockholders.

Subject pointed out that "Without just cause the Mayor of the City, obsessed with unsated feelings of intense hatred of me, with the Police Commissioner, has openly embarked upon a scheme of vengeance encompassing my destruction. Every means are used to carry out this design, and, as in the present instance, means are created where nome exist. With the one purpose in mind, my legal rights are not only ignored, but they are tampered upon with consideration and contempt. And hostility is no secret. It is so long standing and deep seeded as to become an accepted fact in the public mind, and in the public press, and may well be regarded as a subject for judicial notice. They gleefully wallow in their unrestrained proclamations of enmity against me, frequently resorting to the characterization of 'bum' and 'thug.' As an example of their venom, I quote from a reported statement of Commissioner VALENTINE appearing in the September 12, 1943 issue of the "New York Times," Costello is/a local bum, Commissioner Valentine said, but is an international thug. I don't know where he'll go when he dies, I don't know whether there is a hell deep enough or hot enough to hold him?!

"I sincerely believe that besides the purpose of harassing and annoying me, the city officials are attempting to engage in efficient exposition, so as to possibly obtain material to use in the replevin action."

In an affidavit of subject dated September 19, 1944, in opposition to a motion/adjudge him in contempt, in part, states as follows:

"My testimony could not be material or necessary in the Copacabana Incorporated license revocation proceedings.



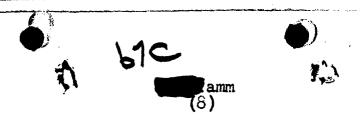
"In my testimony before Referee SEARS, on October 16, 1943, there was no reference to Copacabana Incorporated or to any of its officers, directors or stockholders.

"I am not an officer, director or stockholder of Copacabana Incorporated. I never had and have not now any interest, financial or proprietary or otherwise in Copacabana Incorporated. Indeed, it now appears in the affidavit of Mr. SEGALL in support of the motion to punish me for contempt, that there is no claim that I am interested in or ever had an interest in Copacabana Incorporated. As a matter of fact, in the Bill of Particulars, dated September 6, 1944, furnished to Copacabana Incorporated the names of all persons connected with, interested in, or who are partowners of Copacabana Incorporated, are specified and my name does not appear.

"There is a gratuitous statement in Mr. SEGALL's affidavit to the effect that I am 'publicly known to be a person of ill repute and dissolute character. Mr. SEGALL does not claim in his affidavit such a fact, if true, is material and necessary to the proceedings. The charges in the Bill of Particulars clearly show that such a fact is not an issue, and is not relevant 'cor : material to the license revocation proceedings. While the charges contain specifications that there were persons connected with, interested in or part-owners of Copacabana Incorporated, who are dissolute. disreputable individuals, the Bill of Particulars enumerates those persons and no where does my name appear. Since this fact has no relevancy to the proceedings, its inclusion in these papers serves to demonstrate the willful and deliberate effort to create unfavorable publicity for me, and to prejudice me before the public and before this court, so as to prevent me from securing the same just treatment that is the due of every American citizen. Although I am not called upon to do so, I deny most emphatically the truth of that perniccous and unwarranted statement."

In a letter dated September 23, 1944, by GEORGE WOLF, Attorney for subject, to LEWIS J. VALENTINE, Commissioner of Police, New York City, the following is stated:

"I have been informed that you have issued statements concerning my client, Mr. Frank Costello, in which you



"have characterized him as an 'international thug' and that you intend to issue orders for his arrest.

"My client emphatically denies the truth of the statements. He is not a 'thug' - international or otherwise. He has been a resident of New York City virtually all of his life, is married, has lived here with his wife for many years, and derives his living from legitimate sources.

"This letter is not intended as self-serving propaganda in any discussion carried on in the public press, and I do not intend to release it for publication.

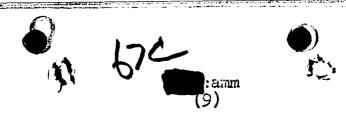
"Its sole purpose is to apprise you of my client's insistence upon the full and complete recognition of his legal and constitutional rights, of his demand that he be accorded protection by you against unjust police harassment and interference, and of his determination to hold any official legally accountable for any legal or unwarranted police action against him.

"My client is prepared to completely demonstrate his innocence of any charge of law violation, which is made against him. He resides with his wife at 115 Central Park West, New York City, and is available for service of any process of law. As a matter of fact, if you have issued or intend to issue any order for his arrest, he will voluntarily surrender to the authorities at your office or at any place of designation, within 24 hours of notice to me."

On September 22, 1944, an order of Honorable FERDINAND PECORA, Justice, Supreme Court, denied the motion of subject to vacate and quash the subpoena.

On September 25, 1944, an order of Judge PECORA granted a motion to adjudge subject in contempt. On the same date, the subject appealed to the Appellate Division of the Supreme Court, which was argued on September 29, 1944.

On October 2, 1944, before a decision of appeal was reached, the Corporation Council of the City of New



York notified the Appellate Division that the aforesaid proceedings pending against the Copacabana Incorporated, before the Deputy Police Commissioner, had been terminated. Accordingly, the subject matter of this controversy ceased to exist, and the issues became academic.

On the 20th day of October, 1944, an order was duly made and entered by the justices of the Appellate Division dismissing the appeal with prejudice to an application to the Special Term to vacate the order appealed from.

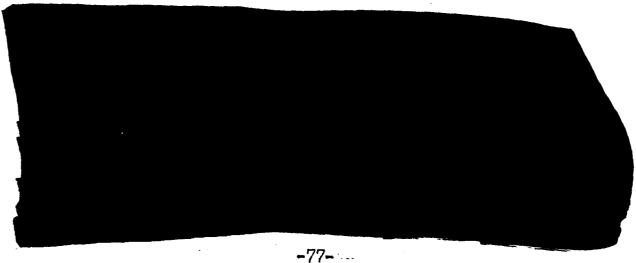
Acquaintances and Associates of Subject

Former Acquaintances or Associates of Subject in the New York City Area

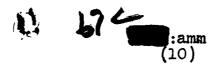
The following individuals, most of whom were reflected as associates of subject, in a previous New York report, in instant matter, are being set out in this report as either former acquaintances or former associates of subject, and in most instances additional information is submitted concerning them:

JOE ADONIS

It is noted that ADONIS, who was a hoodlum in the New York area, voluntarily departed the United States for Italy, in January, 1946, to avoid prosecution.









FRANKIE CARBO, was.

The "New York Mirror" of July 13, 1955, quoted an item from the "New Orleans Picayane," by boxing writer, PETE DIMD. Her wrote that on the previous Thursday before PADDY DE MARCO entered the ring at Curly's Gymnasium in New Orleans, a big automobile drove up with FRANK COSTELLO, FRANKIE CARBO, DUDLEY GEIGERMAN, BONNY GEIGERMAN and BLAISE D'ANTONI, and went into an "arm-around-the-shoulder huddle" with JOSEPH T. OWEN, Louisiana Boxing Enterprises Executive Vice President. After 45 minutes, the car left with D'ANTONI at the wheel, COSTELLO along side, and CARBO and DUDLEY GEIGERMAN in the rear seat. D'ANTONI is the New Orleans shipping millionaire and the GEIGERMANs are COSTELLO's brothers-in-law. When interviewed by the "Picayane", COSTELLO said he was in New Orleans to arrange an operation for an unnamed sister."







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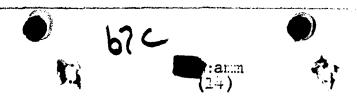


ALBERT J. CONTENTO, wa: Al Howard

During the course of another investigation relating to interstate transportation of stolen property, mentioned in a previous New York report, in instant matter, CONTENTO was interviewed by Special Agents of the New York Office, on May 29, 1935, and furnished the following information:

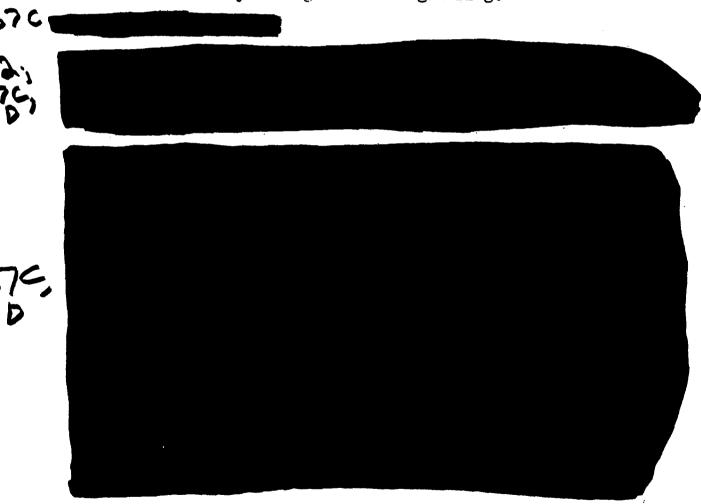
He formerly ran the Piping Rock Club at Saratoga Springs, New York. He first opened the Embassy Club at Miami, Florida, on or about January 16, 1935. On or about January 31, 1935, he left Miami for New York as the club was not paying, he could not meet his obligations and he had to go East for finances. The casino had not opened at the Embassy Club and most of the money he expected to earn was to come from gambling. While in New York he approached FRANK ERICKSON and asked him for a loan of \$10,000.00, and he inquired of him why he did not get this money from FRANK COSTELLO, as ERICKSON knew that he and COSTELLO had been associated in the Brook Club at Saratoga, and the Embassy Club in Florida. Previous to visiting ERICKSON, he had gone to COSTELLO's apartment, but COSTELLO told him he was not in a position to advance him any money, as he was short of cash at that time.

Immediately upon his return to Florida, on March 8, 1935, he reopened the Embassy Club which had been closed



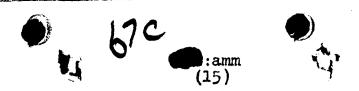
during his absense by attachments served by the landlord and others.

CONTENTO was not successful, in fact the Club was operated for only about three weeks all together. He opened and closed it twice and lost money. He had given up all hope of reopening the Club because he could not make the necessary arrangements for gambling.

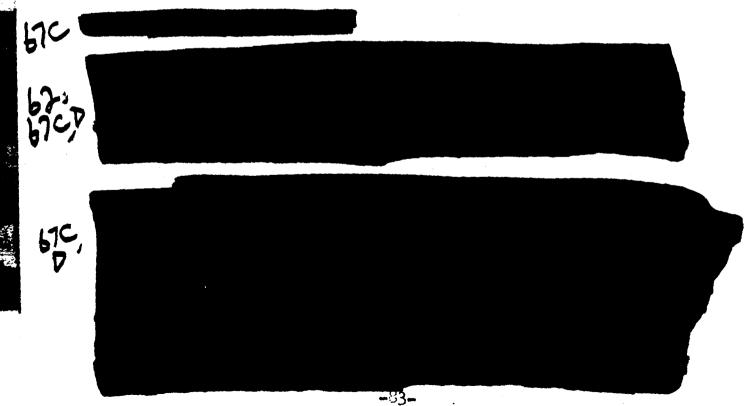


ALEXANDER DI BRIZZI, was.

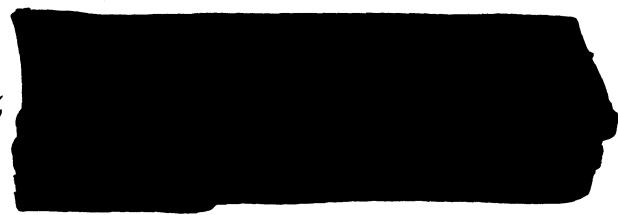
The following is noted concerning ALEXANDER DI BRIZZI, a top hoodlum of the New York Office:



ALEXANDER DI BRIZZI, FBI Number 787997, was born April 10, 1892, in New York City, and resides at 122 De Kalo Street, Staten Island, New York. DI BRIZZI allegedly has an interest in the Dee Cigarette and Automatic Music Company, 122 De Kalb Street, Staten Island, New York; Imparato Stevedore Company, 50 Church Street, New York City; and Jafco Iron and Metals, Incorporated, 300 Webster Avenue, Staten Island, New York. DI BRIZZI first began bookmaking operations on Staten Island in 1920 and was joined by three nephews in 1934. In 1936, DI BRIZZI enlisted aid of New York gangsters and gained control of all gambling on Staten Island. DI BRIZZI has been President of Local 920, ILA, since approximately 1930, and a Vice President and Organizer of the Atlantic Division, ILA, since 1943 and 1946 respectively. DI BRIZZI held absolute control of Staten Island piers since that time. DI BRIZZI at the present time, while still maintaining underworld contacts, does not appear to be taking an active part in union activities or gambling on Staten Island.



67C,



FRANK ERICKSON

The following is noted relating to ERICKSON, a top hoodlum of the New York Office:

FRANK ERICKSON, FBI Number 1762258, born November 22, 1893, New York City, (verified.) Resides 610 West End Avenue, Apartment 11B, New York City, with wife, AMELIA.

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ERICKSON convicted of bookmaking and

income tax evasion.







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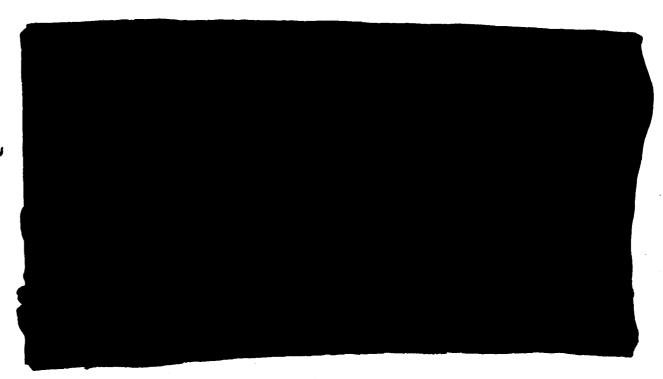
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NY 92-649



GEORGE MORTON LEVY

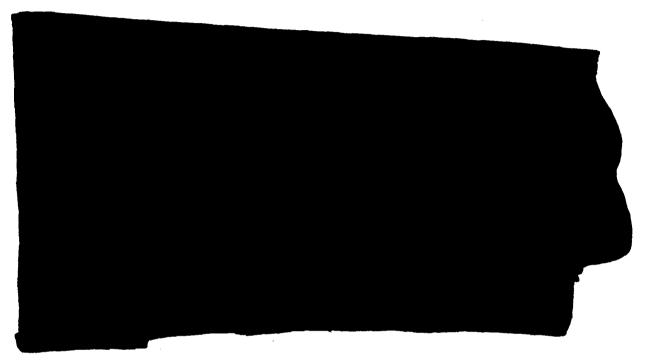
In addition to that information which was reported in a New York report in instant matter, previously, the files of the New York Office reflect that LEVY, of Freeport, Long Island, New York, was formerly head of the Nassau County Bar Association and was active as of October, 1951 in Republican circles in Nassau County, New York.

It is noted that in 1944 LEVY defended FRANK ERICKSON, when ERICKSON was accused of knifing millionairer stockholder MILTON UNTERMEYER, and LEVY also represented CHARLES "Lucky" LUCIANO, in the 1930's, when the former Governor and District Attorney THOMAS E. DEWEY prosecuted LUCIANO for compulsory prosecution.



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NY 92-649



THOMAS LUCHESE, was.

The following is noted concerning LUCHESE, a top hoodlum of the New York Office:

THOMAS LUCHESE, FBI Number 168275, born December 9, 1899, at Palermo, Italy, was naturalized on January 25, 1943, at Newark, New Jersey. Resides at 74 Royat Street, Lido Beach, Long Island, New York. As of 1956, had financial interest in Harvic Sportswear Company, Incorporated, Scranton, Pennsylvania; Kaska Sportswear, Incorporated, Kaska, Pennsylvania, and State Fabrics Company, Bronx, New York. Allegedly top level leader in criminal syndicate; banker for narcotics and powerful figure in garment industry racketeering.



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NY 92-649



JOHN ODDO, was.

The following information is noted concerning ODDO, a top hoodlum of the New York Office:

JOHN ODDO, FBI Number 349341, New York City Police Department Number B83735. Immigration and Naturalization Service files reflect ODDO indicated birth January 4, 1903, Palermo, Italy, (not verified.) ODDO arrived United States in 1907, naturalized United States citizen, on December 1, 1931. Denaturalization complaint filed in summer of 1957 by Assistant United States Attorney, Eastern District of New York, against ODDO. Assistant United States Attorney contemplates filing for trial after first of the year. ODDO currently resides at 1402 West Fourth Street, Brooklyn, New York. Currently is partner in Valo Frocks, 1742 86th Street, Brooklyn, New York. Reported to be member of "Mafia."

Reported to control the rackets and hoodlum

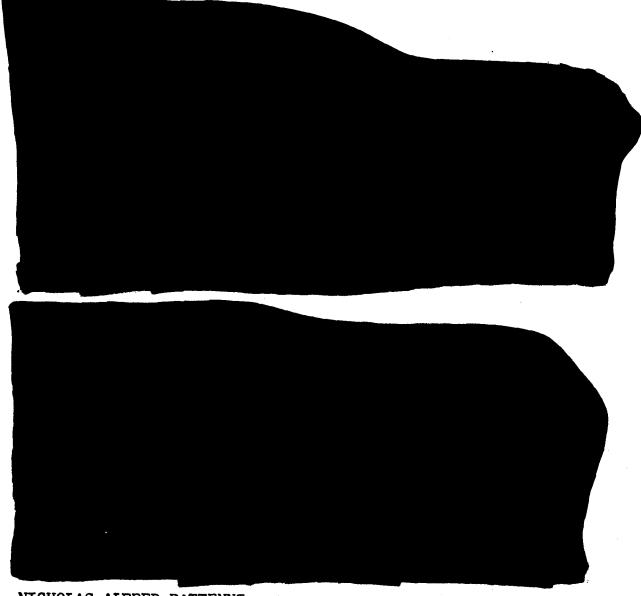
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activities and controls a large percentage of all gambling activities in Brooklyn, New York. No credit record.



NICHOLAS ALFRED RATTENNI, was.

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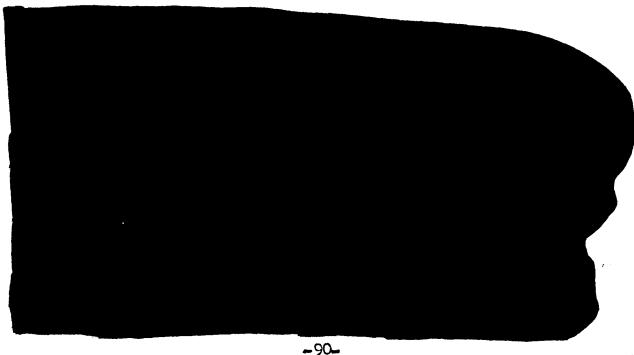
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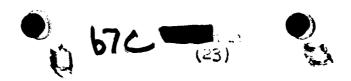
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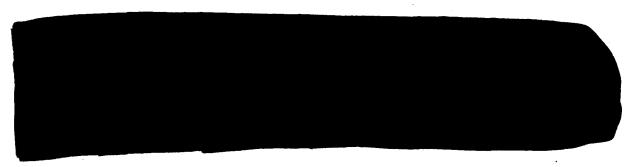
The following is noted concerning RATTENNI, a top hoodlum of the New York Office:

NICHOLAS ALFRED RATTENNI, FBI Number 110,000, born March 5, 1906, in New York City, resides 107 Rockledge Road, Yonkers, New York, but believed to be in Lantana, Florida, as of November 30, 1957. RATTENNI is President of Westchester Carting Company, Incorporated, and Little Abe Carting Company, both of which are located in Yonkers, New York. RATTENNI has an interest in Oakmont Holding Company, and Oakmont Realty Company, both of which are located at 537 South Broadway, Yonkers, New York. RATTENNI, as lieutenant of FRANK COSTELLO, considered first in command of gambling setup in Westchester County, New York. As of December, 1953, RATTENNI was considered one of more active gamblers in Westchester County area and had been so considered for many years. RATTENNI's wife, now deceased, reportedly owned \$175,000.00 worth of Roosevelt Raceway stock.









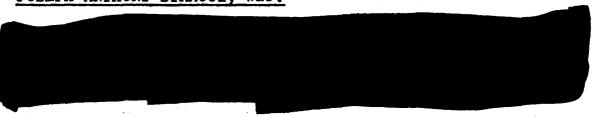
IRVING FRANK SHERMAN, was.

The following is noted concerning SHERMAN, a top hoodlum of the New York Office:

IRVING FRANK SHERMAN, FBI Number 706197, has claimed birth in New York City, for last 37 years, and is presently subject of Immigration and Naturalization Service deportation case on charges that he was born in Hungary and is illegally in the United States. Birth data listed variously by SHERMAN as May 6, 1896, 1897, 1898; June 6, 1897; November 2, 1898, in New York City, and/or Hungary. SHERMAN resides 299 West 12th Street, Apartment 5-D, New York City. SHERMAN admits partnership in R.S. & R. Shirt Company, Corinth, Mississippi, formerly partner in Courtshire Clothes, New York City. SHERMAN described as gambler and labor racketeer in the garment area of New York City, and an associate of many racketeers and top hoodlums.

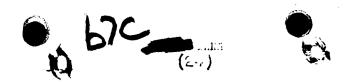
JOSEPH ANTHONY STRACCI, was.

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The following is noted concerning STRACCI, a top hoodlum of the New York Office:

JOSEPH ANTHONY STRACCI, FBI Number 72208, reportedly born January 6, 1906, San Fortello, Massina, Italy, naturalized United States citizen, November 7, 1945, United States



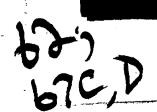
District Court, Southern District of New York. Resides at 80 South Woodland Road, Englewood, New Jersey. STRACCI owns 50 per cent of the outstanding stock in D. Zimet, Incorporated, 500 Seventh Avenue, New York City; 30 per cent of the outstanding stock in Stuart Fashions, Incorporated, 241 West 37th Street, New York City, and received approximately \$10,000.00 annual salary from Jovon Fashions, Incorporated, 225 West 37th Street, New York City. Above-mentioned firms are all garment manufacturers located in the garment center of New York City. STRACCI alleged to receive protection money from garment manufacturers, but investigation to date fails to substantiate this allegation. STRACCI associated with several persons identified by the New York Office as top hoodlums.

ANTHONY STROLLO, was.

The following is noted concerning STROLLO, a top hoodlum of the New York Office:

ANTHONY STROLLO, FBI Number 4282858, was born on June 14, 1899, in New York City. He presently resides at 1015 Palisades Avenue, Palisades, New Jersey. He identifies himself as a Real Estate Broker.

STROLLO is the reported successor of FRANK COSTELLO and JOE ADONIS. STROLLO reportedly boss of the Italian lottery racket, narcotics, gambling, horse books, and alcohol on the Lower West Side of New York City, including Greenwich Village. In December, 1956, it was reported that STROLLO heads one of the major narcotics distributing organizations in the United States with headquarters in New York City. He has been described as a "front man" for VITO GENOVESE.



It is noted that ERICKSON, LUCHESE, and SHERMAN are currently under investigation by the New York Office, as top hoodlums.

It is also noted that the information reflecting subject's association with was previously set out in New York report in instant matter, and additional information

is set out in this report concerning them.





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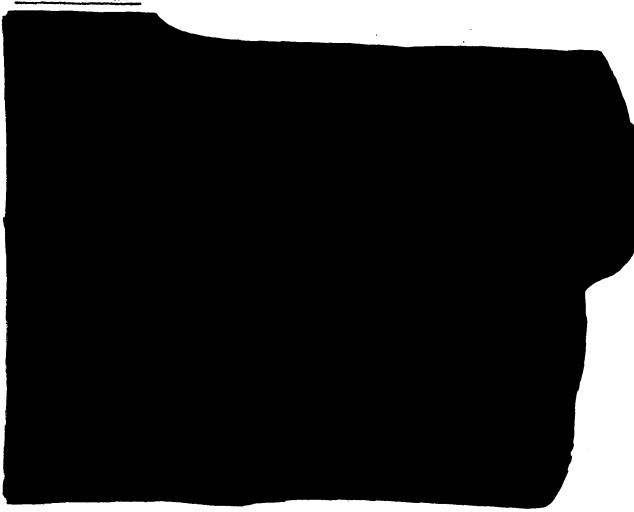
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2. Reported Former Associates or Acquaintances of Subject Outside New York

a. Arkansas



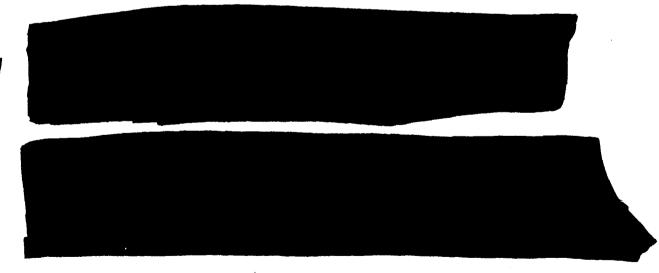
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OWEN VINCENT MADDEN, was.

According to the Little Rock Office, on December 26, 1957, MADDEN, who is currently under investigation as a top hoodlum in the Little Rock Office, resides at 506 West Grand, Hot Springs, Arkansas. He was born on December 25, 1891, at Leeds, England, arrived in the United States, at New York City, on June 12, 1902, and filed his petition for naturalization on March 16, 1943. He was a former number one racketeer of New York City, in the 1920's and 1930's. He formerly owned interest in a Florida race track, reportedly having sold it in 1945, for \$350,000.

MADDEN has had gambling interest in Hot Springs, Arkansas, but sold this interest in 1955 and 1956. He reportedly has control of racing wire service, coming into Hot Springs from New Orleans, Louisiana. MADDEN is unemployed and presently has no known interest either legal or illegal other than racing wire service. He is contacted by numerous individuals frequenting Hot Springs, and he has FBI Number 530611.



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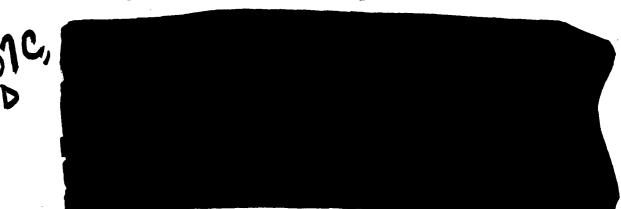
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NY 92-649

The San Diego Office advised on December 23, 1957, that as of 1952 and early 1953, the following individuals are being named as being associated with subject:

AUGUST BERT GREENBAUM described as operator and manager of the Flamingo Club, Las Vegas, Nevada, and as living in Las Vegas, Los Angeles and visiting the Palm Springs, California area quiet often.



JOHN ROSELLI, was.

According to the Los Angeles Office on December 23, 1957, top hoodlum ROSMIJI of that office has FBI Number 3339986 and claims birth at Chicago, Illinois, on July 4, 1904. His first known arrest was in California in the middle 1920's, and he was convicted on December 22, 1943, at New York City, for violation of Section 402A, Title 18, United States Code with others for extortion of funds from motion picture producers. He was sentenced to serve ten years in prison. He was paroled on August 3, 1947. The rop receive has been seed to dead with known hoodlums in Los Angeles and Chicago, for many years and is reported to be a representative on the West Coast for Eastern hoodlums. ROSMIJ maintains an apartment in Los Angeles where he stays body, one or two days each month, and he may also have a residence in Las Vegas, Nevada. Records of the "Kefauver Committee" before which he testified in October, 1950, reflect that he admitted kefwing TRANK COSTELLO.





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MEYER LANSKY, was.

The following is noted concerning LANSKY, a top hoodlum of the New York Office:

LANSKY, FBI Number 791783, was born July 4, 1902, in Grodno, Poland. He arrived in the United States on April 4, 1911. Inturalized September 27, 1928, New York, New York. His last residence was listed as the Colonial Hotel, in Miami, Florida, as of November 1, 1957. LANSKY is presently concerned with gambling activities which are conducted as legitimate enterprises in Havana, Cuba.

It is noted that LANSKY was arrested by the New York City Police Department on February 11, 1958, for vagrancy, and he at that time also gave a Hollywood, Florida address.

On October 12, 1950, LANSKY appeared before the Senate Crime Investigating Committee and admitted association with subject, but refused to elaborate on this association.

d. Louisiana

On December 24, 1957, the New Orleans Office furnished the following background information compiled in 1950 on various criminal associates of subject in New Orleans, Lousiana.





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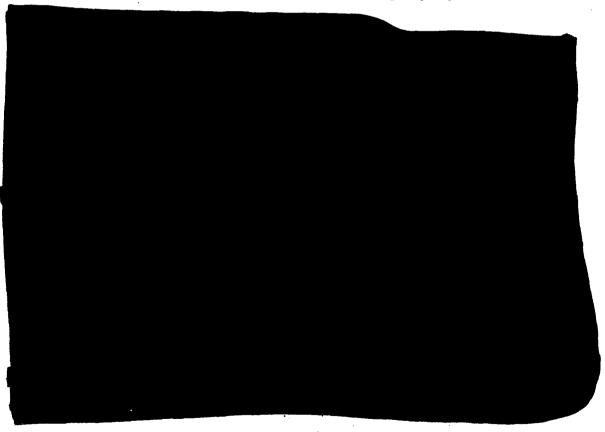
VITC ANTHONY GENOVESE

The Newark Office furnished the following information on December 27, 1957, relating to Top Hoodlum GENOVESE. He was born on November 21, 1897, in Italy and entered the United States on May 23, 1913. He became a naturalized citizen in 1936, but he last his United States citizenship on August 16, 1955, in the United States District Court, Newark, New Jersey. The United States Supreme Court refused to review denaturalizing proceedings of GENOVESE, now regarded as an alien. He filed a petition on May 24, 1957 to get backhis citizenship. He resides in Atlantic Highlands, New Jersey. Mrs. ANNA GENOVESE in testifying on March 1, 1953, at Freehold, New Jersey, stated that every Tuesday and Thursday, her husband VITO GENOVESE met with the syndicate in New York, and that they also invited the syndicate out to their home. Her guests were FRANK COSTELLO, ALBERT ANASTASIA, LONGIE ZWILLMAN and other syndicate boys.

ED FLORIO

EDWARD J. FLORIO, 317 Washington Street, Hoboken, New Jersey, organizer in the International Longshoremen's Association (ILA), in New York City since July 10, 1948, and president of Local 306 ILA, 316 River Street, Hoboken, New Jersey, was indicted on March 24, 1935, in the United States District Court, Southern District of New York for violation of Section 88, Title 13, United States Code.

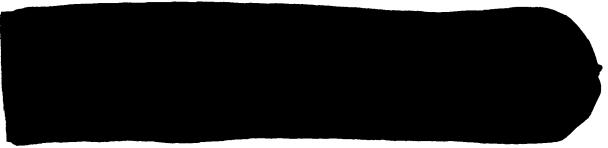
On October 6, 1936, he was found gualty and sentenced to one year and one day. He was released on parole from United States Penitentiary, Lewisburg, Pennsylvania, on December 5, 1937. As a result of an appearance made before the New York State Crime Commission investigating water-front activities, he was indicted for perjury and on December 19, 1952, he was sentenced in United States District Court for the District of Columbia. FLORIO was released from United States Penitentiary, Atlanta, Georga on March 8, 1954, and was rearrested by New Jersey officials to face a Hudson County indictment for perjury.



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1. Rhode Island

RAYMOND L. S. PATRIARCA, was.

The Boston Office on December 27, 1957, furnished the following information concerning Top Hoodlum RAYMOND L. S. PATRIARCA:

He was born on March 17, 1908, Worcester, Massachusetts. His arrests during the period of 1925-1944 include violation of the National Prohibition Act, White Slave Traffic Act, armed robbery, assault and battery with intent to rob, accessory before the fact to murder, breaking and entering, carrying revolver, possession of burglary tools, accessory to largent of automobile. He served time in Rhode Island and Massachusetts State Prisons and the United States Penitentiary. He married HELEN G. MANDELLA in 1939 and resides at 165 Lancaster Street, Providence, Rhode Island, with his wife and child, RAYMOND JR. He operates from and in vicinity of Coin-O-Matic Distributions, 168 Atwells Avenue, Providence, Rhode Island, in which he has interests. He is reported to be a member and representative of an organized group and to have control of and to receive cut from various type gambling activities in Rhode Island, and other sections of New England. He disclaims any current criminal or gambling racket activity and states interested only in legitimate enterprises.





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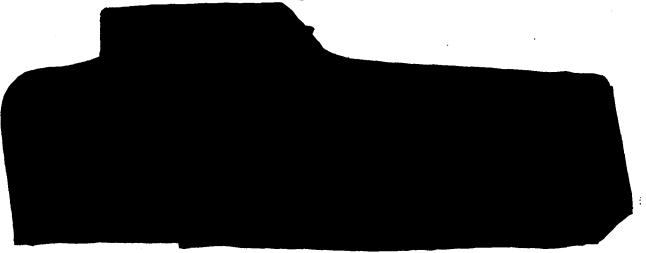
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It is noted that as set out in a previous report in instant matter the "New York Daily News" on May 8, 1956, reflected that COSTELLO was suffering from cancer namely: "Melanona of the left temple", as well as from "Duodenal cancer". This information was brought to the court's attention through an affidavit of Dr. GERALD F. O'BRIEN, 58 East 66th Street, New York City. According to Dr. O'BRIEN, melano a is "notoriously" one of the malignant and fatal forms of cancer.



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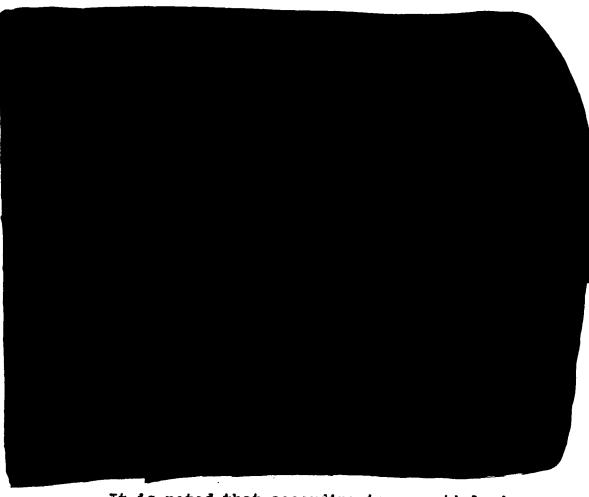


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It is noted that according to an article in "The New York World Telegram and Sum" on May 9, 1957, that on May 2, 1957, the night COSTELLO was shot, he went to the Monsignore with GENEROSO POPE, JR., Publisher of the "New York Enquirer".

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In an article appearing in the "New York Journal American" on February 13, 1951, it was stated that:

"Among the star witnesses summoned for the Senate Crime Investigating Committee Hearings were: FRANK ERICKSON, Manhattan's leading (\$12,500,000.00, a year) bookie, until he won two years on Rikers Island, said to be friendly, if not a business acquaintance with COSTELLO, and New Jersey gambler JOE ADONIS."

In an article of the "New York Journal American" of March 15, 1951, it was stated that:

"If you know the right people, you can make money in stocks, the case of JOSEPH SCHOENBAUM, the former Internal Revenue employee. SCHOENBAUM made his market "killing" as a result of a friendly little golf game with FRANK COSTELLO, the big shot racketeer, gambler FRANK ERICKSON and GEORGE MORTON LEVY, a lawyer and head of the Roosevelt Raceway."

The "New York World Telegram and Sun" of March 15, 1951, described JOSEPH SCHOENBAUM as about 62, resides at 110 East 87th Street, Apartment 7, Bureau of Internal Revenue with 25 years of service, who resigned "under a cloud" after questioning by his superiors concerning his association with FRANK COSTELLO. SCHOENBAUM was named in this article as a golfing associate at the Pomonok Club, Long Island, New York, of FRANK COSTELLO in the so-called, "fabulous foursome", consisting of FRANK COSTELLO, FRANK ERICKSON, GEORGE MORTON LEVY and JOSEPH SCHOENBAUM.



GEORGE MORTON LEVY was described in this article as President of the Roosevelt Raceway, Westbury, Long Island, New York, who permitted JOSEPH SCHOENDAUM to buy 100 shares of common stock in the Westbury track for \$2.00 per share. This article stated that as of March, 1951, the original 100 shares invested was reportedly worth -\$50,000.00, on the open market."

EDWARD BENNETT WILLIAMS 1000 Hill Building, Washington, D.C.

It is noted that Attorney WILLIAMS has represented the subject during court proceedings pertaining to his conviction in connection with his evasion of income taxes.



CRIMINAL ACTIVITIES

- Information relating to reported former gambling activities and gambling devices of subject.
 - Reported Activities outside New York



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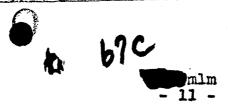


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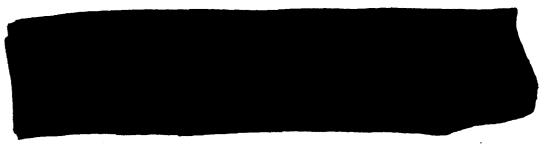
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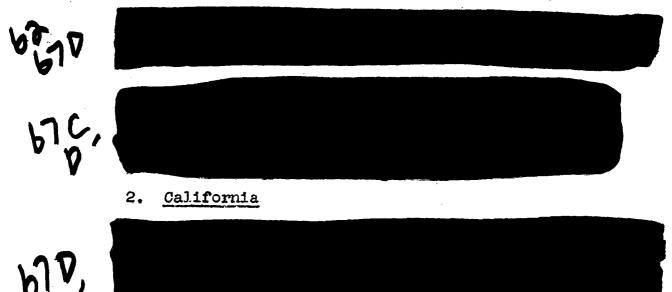
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The Little Rock Office advised on December 23, 1957, that during 1951, there was some speculation in Arkansas newspapers that COSTELLO was attempting to gain control of gambling at Hot Springs. In an article appearing in the "Hot Springs Sentinel Record" on November 14, 1951, COSTELLO answered a speculation, denying any such intent, and stated that he had been visiting in Hot Springs for over 25 years for relaxation.







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The New Orleans "Item" of Tuesday, April 27, 1950, reported that FRANK COSTELLO, while testifying before a Senate Commerce Sub-Committee, admitted having operated maybe five or six hundred slot machines in New Orleans at one time but stated that he had not owned any slot machines personally for five or six years. He testified that the only gambling he was linked with was a casino he operated just outside of the New Orleans city limits and gambling in the casho was limited to certain types. He testified that it was roulette and dice. He further testified that his New Orleans associate was KASTEL. COSTELLO further testified, according to the New Orleans "Item", that he was invited to New Orleans by a public official at the time but didnot identify this individual. COSTELLO testified that he had never operated anywhere except New York and New Orleans.





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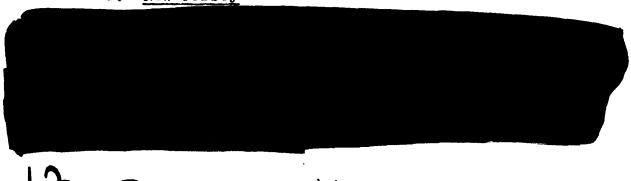
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Newspaper reports, exact names and dates of these newspapers not known, have indicated skot machines were legalized during 1949, in Prince George County and almost immediately after this legalization a representative of the COSTELLO gathling syndicate showed up at a hotel in Washigton, D.C., equipped with a \$100,00 bank loan.

6. New Jersey



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-145-

The Newark Office advised that it has no information as to any business enterprises, legitmate or otherwise, which COSTELLO operated in New Jersey, other than information already known to the New York Office,

The Newark Office also advised that it has no information regarding COSTELLO's activities in New Jersey in addition to that which is already known to the New York Office.

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b. New York

T-7, a government investigting agency, advised SAS JOSEPH D. MELINKY and JOHN F. LEIGH , Jr., on January 7, 1958, that he had a opportunity to observe the subject during 1956. He furnished the following as a typical example of subject's daily activities:

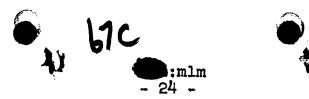
JAMES P. O'CONNELL, subject's long-time friend would leave his residence in Elmhurst, New York at approximately 9:30 am, traveling in his Mercury automobile to the subject's residence at 115 Central Park West, New York City. Subject would join O'CONNELL and both would travel in O'CONNELL's automobile across town on 65th Street then downtown on Park Avenue to the Waldorf-Astoria Hotal. O'CONNELL would let subject out of the automobile at the Park Avenue entrance to the Waldorf and O'CONNELL would park his automobile and later join subject at the Waldorf-Astoria.

Subject would frequent the barber shop in the Waldorf and when finished he would frequent the turkish baths at the Biltmore Hotel, where he would remain for a long period of time. Subject would either eat in the Men's Bar or the Norse: Grill in the Waldorf or he might walk to Chandler's Restaurant nearby.

Subject would occupy most of his day in the barber shop, in the turkish baths, eating, in one of his favorite eating places. After he finished eating, it would usually be in the afternoon, subject would either go back to his apartment or now and then he would walk over to Times Square and attend a movie. O'CONNELL would accompany subject occasionally and occasionally the subject would meet FRANK ERICKSON in the Waldorf, however, ERICKSON would not accompany subject elsewhere. Subject would eiter go to one of three places when he left his residence each morning that was: either to the Waldorf-Astoria Hotel, the Biltmore Baths, or to the Office of GEORGE WOLF his attorney. After subject would return to his residence in the afternoon, he would not go out during the night.

According to informant, a hostess in the dining room of the Norge Grill or the Men's Bar in the Waldorf-Astoria Hotel, would inform subject whether or not he was being watched and informant had observed subject giving this individual money as a tip for such information.

Informant advised that it had been his understanding that possibly the Chief of Police or some individual connected with the Sands Point Police Department was or is the subject's gardener and did some type of work at the subject's summer residence in Sands Point, Long Island, however, he did not know the name of this individual.



According to informant, Mrs. RONALD TAAFFE, wife of RONALD TAAFFE, a retired United States Air Force Colonel, resided at the Bretton Hall Hotel, 86th Street, and Broadway, New York City. She was described as being a licensed armament dealer, well-known in Central and South America, and was acquainted with JAMES BYRNES, Governor of South Caronoma, Informant advised that Mrs. TAAFFE had informed him sometime ago that she had been given a gambling concession license for a club in the Dominican Republic, by its Dictator TRUJILLO. Informant advised that Mrs. TAAFFE had informed him that approximately two years ago, she was visited in the Hotel Warwick, New York City, by subject, Mr. WOLF and a man whom she described as being a large man, were interested in securing the license from her. She would not, however, relinquish this license to subject and she returned this license to TRUJILLO as she believed the license was "too hot" to keep. Informant also stated that he was of the opinion that the FBI in Miami, Florida, had been in contact with Mrs. TAAFFE.

Informant stated he was unable to suggest who might be contacted concerning the subject. He went on to say that it was extremely difficult to secure any information whatsoever, relating to the subject from any individual, inasmuch as any individual who might be in a position to furnish any information concerning subject, would not disclose any such information, inasmuch as this individual was likely in some type of racket.

Informant characterized the subject as presently being a "bookmaker now retired".



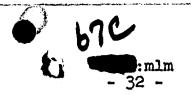


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An article which appeared in the "Long Island Sunday Press" issue of January 5, 1958, reads as follows:

"IS THERE REALLY A MAFIA IN THE UNITED STATES By JACK HAND, Associated press

"Who rubbed out ALBERT ANASTASIA? Who shot FRANK COSTELLO?

"Is America on the brink of a gory crime hierarchy? Who wants to be?

"Is the Mafia ominously real? Or is it a storybook word to catch the headlines?

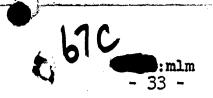
"These are problems occupying law enforcement agencies while a disturbed public awaits the next move.

"Hints of a possible new blood bath are to be found in COSTELLO's narrow escape from death, ANASTASIA's gangland-syle killing in a hotel barber shop in Midtown Manhattan and the recent mysterious 'summit conference' on a wooded hilltop in Apalachin, New York.

"Internal Revenue agents check and doublecheck the income tax returns of the 58 men who attended the Apalachian barbecue at a \$250,000 mansion. The immigration and Naturalization Service wants to know more. So does the Narcotics Bureau...the Parole Board...the State Liquor Authority... the Alcohol Tax Unit...the State Police...the attorney general.

"NEW RACKETS grand juries are selected frequently.

"For the first time since the atrocities of Murder, Inc., flashed across the front pages, perturbed citizens are demanding answers. They want to know if a government--out-side-the-government is stealing pennies -- and dollars -- out of its pay envelope.



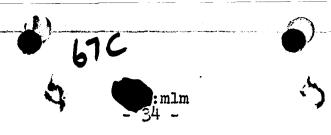
"Crime is a shadowy substance. It's much easier to suspect than to prove. Most authorities believe it operates at a national level. Some think there is an organized international group. They call it 'The Mob,' 'The Syndicate,' 'The Mafia' or any of a half dozen names.

"For years many have scoffed at the existence of a powerful Mafia. They tell you the old Sicilian-based society was wiped out by BENITO MUSSOLINI years ago. It was a popular American myth, they say, that died with earlier generations and never was an important crime factor in this nation.

"As for the Mafia in international crime, many believe it is only a bogey man. They say the real leadership rests in the Unione - Siciliano, a multi - national confederation. Others insist the Mafia, the old Neopolitan Camorra and the Unione are interchangeable parts of the same organization. Even the authorities disagree.

"ITALIAN POLICE reject the idea of any ties between the island off the toe of Italy's boot, and America. They say there never had been any evidence linking Italian - American deportees -- who now total around 500 -- to Sicily's secret Mafia. They do not believe Mafia plays any role in U.S. underworld operations.

"The Mafis, once known in the United States as the Black Hand, is a Sicilian protective and benefit organization at home, called 'The Honorable Society' by Sicilians.



"It was formed centuries ago as a secret underground to protect Sicilians against their foreign rulers -- at least 16 over the past 2,000 years. Mafia became virtually a state within a state, enforcing its own law for the benefit of those under its protection.

"MAFIA STILL wields tremendous power among Sicilians, many of whom still view Rome as a foreign government. It will see to it that a member's stolen money is returned, his lost dog is found, that his business is not molested. In short it looks after its own.

"However, these 'protective' functions often lead to extortion, blackmail, murder, ransom and terror.

"Mafia still collects 'taxes' to finance its 'benefit' in Sicily. Its driving force is the vendetta, or revenge against those who scorn its protection. It can reach into prison to avenge a betrayer. It can see that farms prosper -or don't.

"When JACK DRAGNA, described by Sen. ESTES KEFAUVER as a notorious Los Angeles police character, testified before the Senate Crime Investigation Committee in 1950-51 he said he never had heard of the Mafia although he was born in Sicily.



"ANOTHER WITNESS, PHILIP D'ANDREA, sid he had been president of a group known as the Italo-American National Union which he called a mutual benefit insurance organization.

"KEFAUVER, however, refused to go along with those who sneer at the Mafia. He saw it in a most sinister light.

"The senator reached the conclusion that Mafia was 'ominously real . . . a shadowy international organization that lurks belied much of America's organized criminal activity . . . it has scarred the face of America with almost every conceivable type of criminal violence including murder, traffic in narcotics, smuggling, extortion, white slavery, kidnapping and labor racketeering.'

"Uncle SAM's Narcotics Bureau likewise rates the Mafia as a most important factor in the drug traffic.

"JOSEPH AMATO, a federal narcotics agent, had this to say about the Mafia at a recent hearing of the Senate Rackets Committee when talking about the alleged ranket control of garbage handling in the New York area:

"'Yes sir (it is operated by the Mafia). We believe there does exist in the United States today a society, specifically, loosely organized for the purpose of smuggling narcotics and committing other crimes.'

"W. LEE SPEER, field supervisor in charge of enforcement at the Narcotics Bureau in Washington, has similar views.

"Asked if he thought the narcotics racket was linked with the killing of ALBERT ANASTASIA, SPEER replied that ANASTASIA was the executioner of Murder, Inc., was tied in with narcotics listing a half dozen 'big shots' in the Bureau's file of suspected narcotics traffickers. SPEER commented after each name, 'He's Mafia.'

"Bit the FBI do sn't seem to see eye to eye with the Narcotics Bureau on the Mafia situation.

"An FBI source in Washington says 30 or 40 years ago there was some basis for talk of Mafia terror on a local scale. He insists tales of an international network are nothing more than 'a nice storybook phrase.'

"DEBATABLE though the Maria seems to be, everybody has a pet theory about the COSTELLO shooting, the ANASTASIA murder and the Apalachin.

"COSTELLO, who lives in Sands Point and is often described as the No. 1 man of the syndicate, has been in and out of jail on contempt and income tax evasion convictions in recent years after living a charmed life for decades.

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"Right now he is in trouble with the income tax and immigration people. At 66, he generally is pictured in semi-retirement, about ready to hand over the reins to a new Noll.

"His scalp was creased with a 38-caliber slug on May 2, in a awkward attempt to kill him. In his pocket was found a slip of paper on which had been written figures corresponding exactly to the take of a Las Vegas gambling casino."

The "New York Daily News" morning edition, issue of annuary 10, 1958, Peads as forlows: which

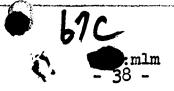
"DOPE KINGPINS OF MAFIA PUT AT APALACHIN

Albany, Jan. 9 (UP) .--

"A Federal narcotics agent told state probers today that the Apakhin 'congress of crime' last Nov. 14 was a Mafia meeting which discussed international drug traffic.

"JOHN T. CUSACK, chief of the Federal Narcotics Bureau in the New York area, sld several major narcotics peddlers attended the meeting.

"CUSACK also linked some of the Apalachin mobsters with such underworld characters as FRANK COSTELLO, CHARLES (LUCKY) LUCIANO, THOMAS (Three Finger EROWN) LUCCHESE, JOE ADONIS and the late ALBERT ANASTASIA.



"Underworld Ties Traced

"Orders from LUCIANO and ADONIS, now in exile in Italy, were believed delivered to the Apalachin convention by FRANK CUCCHIAPA of Boston, CUSACK said.

"He described one 'delegate,' JOHN (Big JOHN) ORMENTO, of Lido Beach, L.I., as one of the 'most active and important' men in the traffic.

"CUSACK told the legislative watchdog committee that there had been similar meetings dating back to a gathering in Cleveland in 1928.

"He also named racketeer FRANK GARAFOLO as masterminding the unexplained slaying of CARLO TRESCA 15 years ago, and CARMINE GALENTE of Brooklyn as the 'torpedo' who performed the actual crime. TRESCA, 68, was anti-Fascist and editor of Il Martello (the hammer) an Italian-language newspaper. Neither were delegates to the Apalachin Mafia meeting.

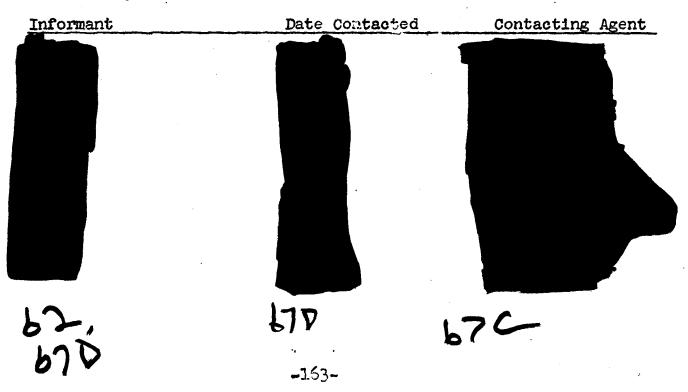
"Earlier, RUSSELL BUFALINO of Kingston, Pa., one of some 60 hoodlums, racketeers and their associates arrested Nov. 14 at the palatial home of JOSEPH BARBARA, invoked the Fifth Amendment 26 times."

4. Results of Contacts With Informants of the New York Office





The following informants all of whom have furnished reliable information in the past, as contacted by the agents indicated on the specified dates, all stated that they were unable to furnish any information concerning the activities of the subject:







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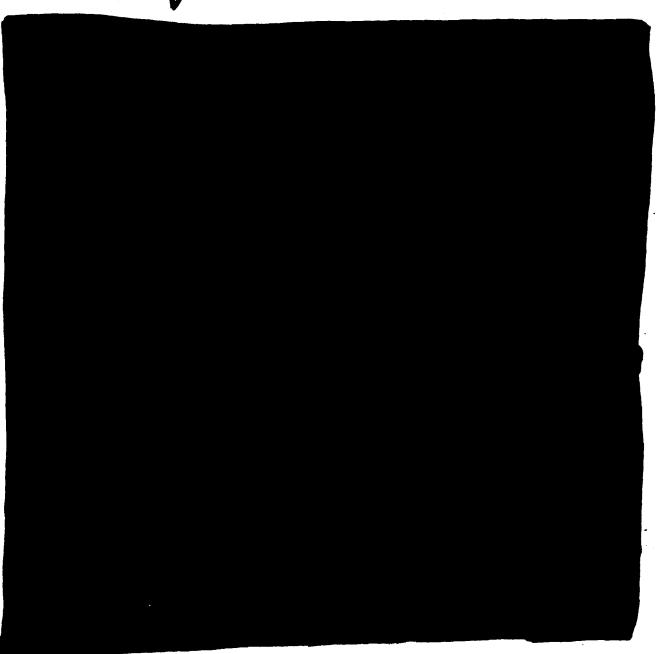
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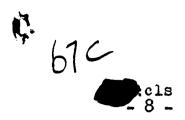
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The following is noted in an article by WESTBROOK PEGLER appearing in the "New York Journal American" issue of January 13, 1958:



"If you could have heard me the other night, you would have been agape at my brilliance, logic and sublime moral courage. But eulogy is a little out of my line so I will abate the heroworship and get into the act which took place at a magnificent salon of the haut monde, the bon ton and the cognoscenti. You know what I mean. Rich people!

"This pretty lady said something about the Mafia, and name-dropper that I am, I said, 'Frank Costello is lunching with me tomorrow.' And if you don't believe he did, ask the cops; ask Hogan's office; ask the U.S.D.A. or the FBI.

"She let out a squawk and she said, 'Lunching? Costello? The prime minister of crime? The dictator of the international underworld? Aren't you ashamed. Or embarrassed? Everybody knows about all those murders; the what-you-call-it case, you know, that Mafia murder in the barber shop a few weeks ago. And the narcotics ring.'

"I said, 'One thing at a time. All about what murders? Sister, if you know all about any murders, you have a moral and legal duty to hop right down and tell Frank Hogan, the D. A., because Hogan has been setting traps for Costello for more than 20 years and, so far, the best he could do was 30 days for contempt of a grand jury when Costello refused to tell them what some figures meant on a little chit of paper which some cops stole out of his pocket when some dastardly criminal shot him alongside the ear.

"'Why didn't the cops pinch the gunman? They already knew what the figures meant and so did the FBI. And anyway, it was none of the grand jury's business what those figures meant. Somebody shot Costello. That was a crime against him. Then some cop unlawfully searched the clothing of an emergency patient in a hospital and stole a certain piece of paper, his lawful property. The grand jury should have indicted the cop. But instead, some judge gave the victim 30 days and then choked up and let him out after 15 days.'

"This lady said: 'Do you mean to tell me you sincerely believe Costello is innocent?'

"I said: 'Innocent of what?'

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"She said: 'All those murders.'

"I said: 'The guy isn't even accused of murder. Any more than you are. He isn't accused of narcotics.'

"She said: 'Oh yes, but just because they rake in all those millions so they can hire the cleverest lawyers in the country, don't you try to tell me he is innocent.'

"I said: 'That Frank Hogan thinks he is a pretty smart lawyer, himself, and the people seem to think he is the most, becaus they pay him all the law allows and they keep on re-electing him. So why should dostello hire dumb lawyers? Would you?'

"The lady said: 'Well, we got him at last and his clever lawyers weren't clever enough this time.'

"I said: 'Do you know what he got those five years for? Not for murder or narcotics. Not for Mafia. He got five years for signing his name on a piece of paper.'

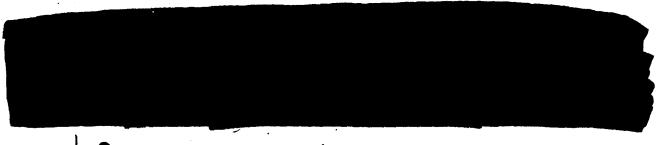
"She said: 'Well, they had to get him for something. After all, what about law and order?'

E. Legitimate Enterprises With Which Subject Mas Reportedly Been Connected

1. Night Clubs

Copacabana Night Club 10 East 60th Street New York, New York

It is noted, as set out in a previous New York report in instant matter, the subject was connected with the Copacabana Night Club.



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The Stork Club is an elaborately fitted cabaret with established followings among the worthy class. 50 percent of

The Stork Club is an elaborately fitted cabaret with established followings among the worthy class. 50 percent of the sales are represented by alcoholic beverages, the remainder for food. A cover charge of \$2.00 is in effect at 10:00 p.m. nightly. Entertainment is provided and seating accomodations are available for 250 persons.

Rio Cabana Night Club Little Night Club New York City 67 C,D

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It is also noted that the telephone directories of the City of New York, including the Boroughs of Manhattan, Bronx, Brooklyn and Queens, contain no listing for clubs by the name of Rio Cabana, Little Night Club, or the New Little Night Club.

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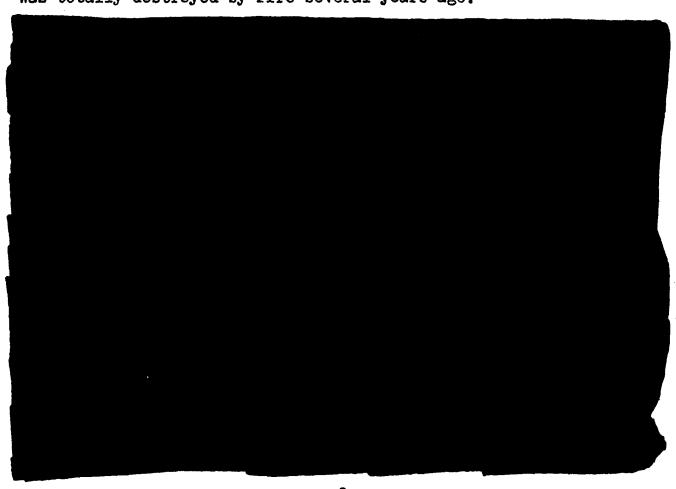
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Brook Club Saratoga Springs, New York

Piping Rock Night Club Saratoga Springs, New York

Embassy Club Miami, Florida

The Albany Office advised on December 23, 1957, that it was to be noted both the Brook Club and the Piping Rock Club, former gambling establishments in Saratoga Springs, New York, wherein subject was reported to have had financial interest, have been closed and no longer are operating. The Piping Rock Club was totally destroyed by fire several years ago.



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It is also noted that additional information concerning the Piping Rock, the Brook and the Embassy Night Clubs has previously been set out in this report, as reflected in a 1935 interview of subject by agents of the New York Office.

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Beverly Club New Orleans, Louisiana

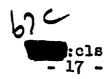
It is noted that information relating to the Beverly Club was set out in a previous New York report in instant matter. Additional information concerning the Beverly Club is also set out in this report under the heading of "Gambling Operations in Louisiana."

2. Real Estate

Hotel Madison New York City

The Madison is owned by the Minerya Hotel Corpora-

The Hotel Madison is owned by the Minerva Hotel Corporation, 21-23 East 27th Street, 58 Madison Avenue, New York City,



and was chartered under New York laws on March 24, 1949, with authorized capital of 200 shares of common stock, no par value. This hotel was formerly operated by one ABRAHAM HYMAN, who reportedly sold to other interests in April, 1949, and was subsequently acquired by the present corporation; however, complete details are not available.

A complete list of officers and directors are not available, but EMANUEL SCHINDEL is reportedly President and ABE POLLACK is Secretary and Treasurer.



The Minerva Hotel Corporation operates the Hotel Madison, a 35 room hotel, whose patronage is drawn from transients.

Real Estate records show that the property located at 62 Madison Avenue, corner of 21 East 27th Street, consists of an 11 story building and stores, and is in the name of MITCHELL FEIN and REUBEN, purchased on July 18, 1957. It was assessed in 1957-1958 at \$160,000. The total mortgage amount to prior mortgage is \$57,750 and \$90,000 on March 1, 1956, to SAMUEL W. DORFMAN, ET AL.

Hotel Biltmore New York City

As previously reported in a New York report in instant matter, WALTER WINCHELL, the newspaper columnist, reported in 1949 that subject was one of the bond holders of the Hotel Biltmore.

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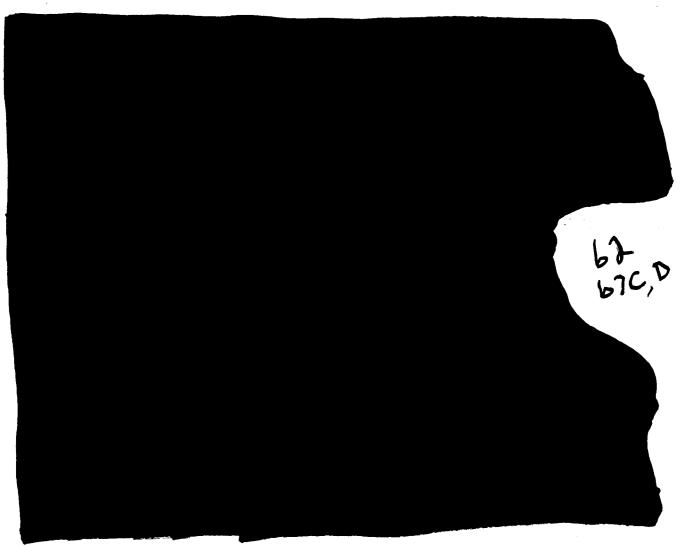
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It is noted, according to an article in the "New York World Telegram and Sun" of May 9, 1957, that on May 2, 1957, the night COSTELLO was shot, he went to the Monsignore with GENEROSO POPE, Jr., publisher of the "New York Enquirer." Another COSTELLO "chum," FRANK MARIO ECNFIGLIO, was in the Monsignore when the others arrived and he joined the COSTELLO party.



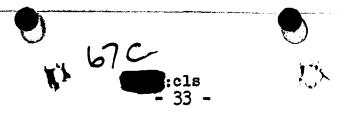


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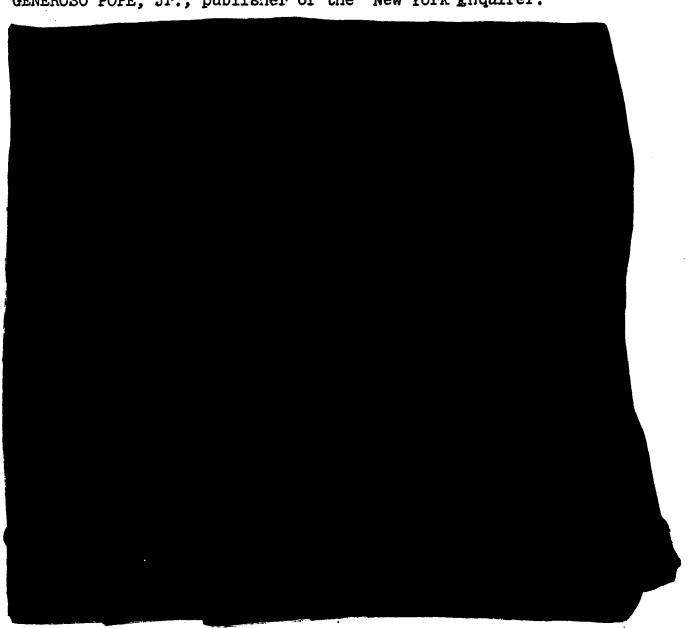
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It is noted, as set out in a previous New York report in instant matter, that an article appearing in the "New York World Telegram and Sun," May 9, 1957, stated that on May 2, 1957, the night COSTELLO was shot, he went to the Monsignore with GENEROSO POPE, Jr., publisher of the "New York Enquirer."



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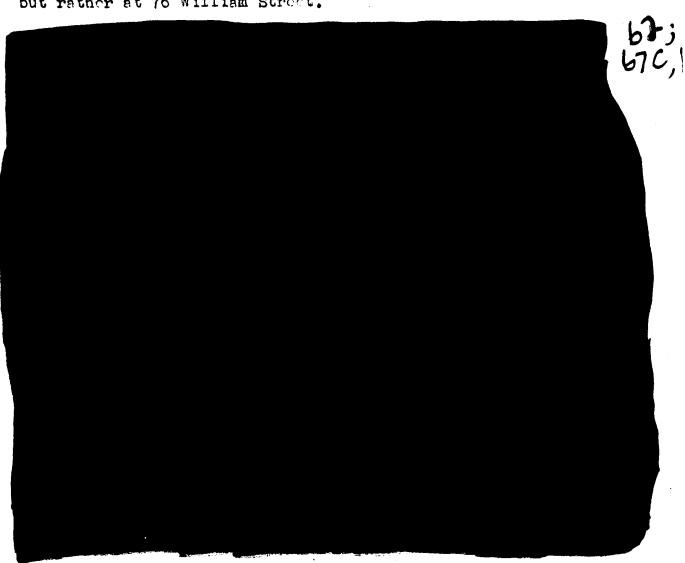




Continental Casuality Company 76 William Street New York, New York

It is noted as set out in a previous New York report in instant matter, subject was reported to own the Continental Cesualty Company, 75 Fulton Street, New York City, and that in 1946, it was reported that this company was the headquarters for the subject's gambling activities.

It is noted that the New York City Telephone Directory does not list the Continental Casualty Company of 75 Fulton Street, but rather at 76 William Street.







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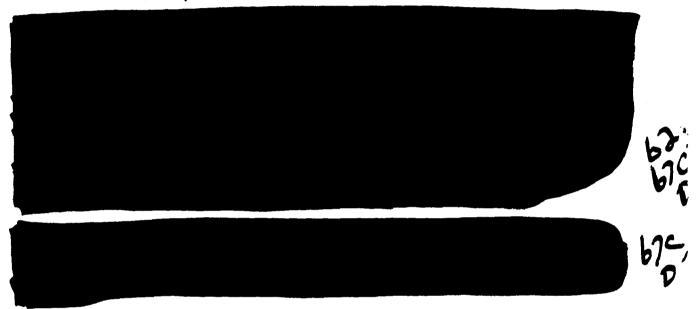
During the course of another investigation relating to the interstate transportation of stolen property, mentioned in a previous New York report in instant natter, subject was taken into custody by agents of the New York Office on May 31, 1955. In part, subject stated at that time, that he had no connection with the Alliance Distributing Company, 153-157 Fifth Avenue, New York City, third floor, which he understood was a liquor distributing company. He stated, however, that he would sometimes go there.

Concerning the Midtown Novelty Company, formerly located at 1860 Broadway, New York City, as set out in a previous New York report in instant matter, it was stated that subject admitted before a Federal Grank Jury, Southern District of New York, in 1939, that he had organized the Midtown Novelty Company in 1931, and that slot machines were operated at this company.

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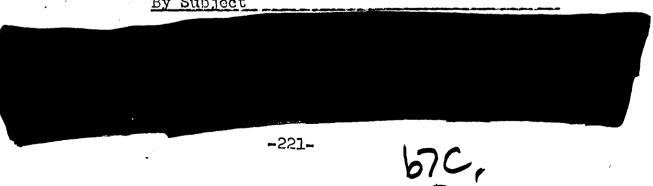


Concerning the Mills Pevelty Company (Mills Bell-O-Matic) and the Spertsmans Park Race Track (National Jockey Club) all Chicago, Illinois, as referred to in a previous New York report in instant matter, wherein it was reflected that subject possibly had an interest in these concerns, the Chicago Office has advised on February 10, 1958, in part that investigation reflected that subject has never maintained an interest either monetary or otherwise in the Sportsmans Park Race Track. It was likewise reported by the Chicago Office that there was no indication that subject at any time maintained an interest in the Mills Company, either financial or otherwise.



The Onaha Office further advised that no additional information concerning subject was available other than that information emanating from the New York Office.

F. Places of Armsenent and Mangouts Frequented By Subject





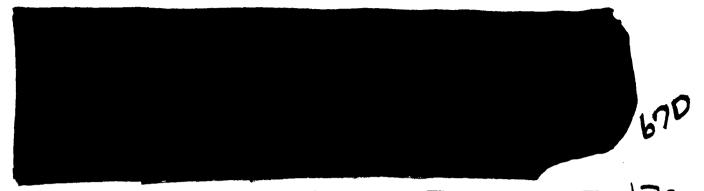


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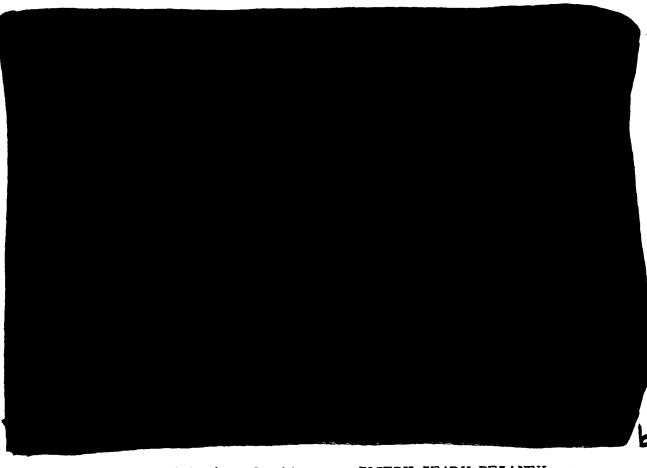
The subject was observed by SA in the Waldorf-Astoria Hotel at 10:55AM on January 9, 1958, as subject was proceeding toward the Waldorf Barbers. He was alone and was not observed contacting anyone.

It is noted that from observation on the same date, that when proceeding in the Waldorf-Astoria toward the Waldorf Barbers, you walk forward facing the brokerage firm of Walston and Company. You will proceed into the brokerage firm or just prior to entering this firm, you can turn to your right and proceed a little further to the Waldorf Barbers. If you had turned to your left, you would have entered the Norse Grill.

Further observation noted that a hostess of the Norse Grill was in the area outside the door of the Norse Grill waiting to greet customers, this being in the immediate area of all three entrances to business establishments mentioned. It was further observed that upon entering the Waldorf Barbers, you are immediately recognized and assigned a barber. It was generally determined that this immediate area was undesirable for close observation of subject.

The subject was again observed by SA
in the Waldorf-Astoria Hotel at 10:55AM on January 31, 1958.
He was alone and proceeded to the Waldorf Barbers. The subject was then observed inside the Waldorf Barbers where he obtained a shave and hot towels. SA was in relatively close contact with subject in the shop and observed subject getting his shave. Subject remained in the Waldorf Barbers for approximately an hour, he left alone and was not observed contacting anyone in the hotel. During the time he was in the shop under observation, he appeared not to converse with his barber.





The subject and attorney JOSEPH LEARY DELAMEY, were observed together at the Press Box Restaurant, 139 East 45th Street, New York City, at approximately 6:45PM on January 7, 1958, by SA



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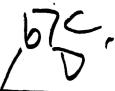


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According to the files of the United States Parcle and Probation Office, Scuthern District of New York, as reviewed on January 21, 1958, the following are noted:

Subject was a light fiction reader.

Subject kept himself very clean.

Subject was a heavy reader of all types of literature, especially news periodicals.

He enjoyed sports as a spectator and played golf often.

He was very fend of nevies and claimed golf as his

Other observations relating to subject.

Likes custom made clothing.

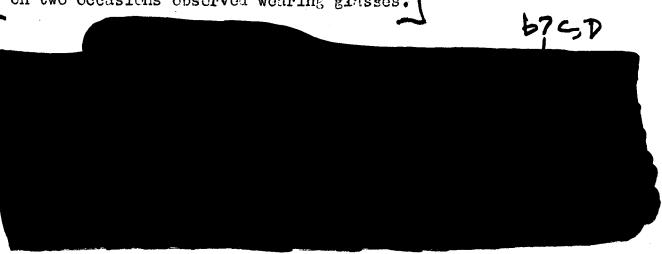
Subject observed wearing white silk shirt.

Subject may wear specially built shoes.

Subject wears a hat.

Subject may possibly wear glasses, however, not

on two occasions observed wearing glasses.



INASMUCH AS THE SUBJECT WAS SENTENCED ON APRIL 14, 1915, TO THE NEW YORK CITY PENTIENTIARY FOR ONE YEAR FOR POSSESSION OF A REVOLVER, AND DUE TO HIS REPORTED ASSOCIATION WITH TOP HODDLUMS, SUBJECT SHOULD BE CONSIDERED DANGEROUS.

Miscellaneous Information Relating to Subject

I. Health of Subject

Reports of Physical Examinations

United States Penitentiary, Lewisburg, Pennsylvania, in 1952

Subject's file maintained by the United States Probation and Parole Office, Southern District of New York, as reviewed on January 21, 1958, reflects the following information as to a medical examination of subject on August 25, 1952, at the United States Penitentiary, Lewisburg, Pennsylvania:

Subject at that time, was a male, white, 59 year old, weight 174 pounds, height 5' 6", individual.

Following is noted:

Blood pressure 128:78, pulse rate 70, and temperature 98. Right eye-20:50, left eye the same. He was hard of hearing, 10:15 and 10:15. He had throat trouble and a chronic case of pain in his right side.

Results of examination:

Slight defective hearing; defective vision, corrected by glasses; history of tumor of larnyx, 1933; veneral disease denied; blood serology, Kahn-negative and Kolmer-negative. Denied use of narcotics and no physical signs of use. No previous ineculations.

Recommendations:

Treatment as indicated, usual quarters, and moderate duty work.

Examination at Federal Correctional Institution, Milan, Michigan, in 1953.

The files of the United States Probation and Parcle Office, Scuthern District of New York, referred to above, reflects a physical examination was afforded the subject at this institution in 1953.

Results of examination:

His past history includes chickenpox during childhood, X-Ray treatment for nalignant growth of the threat in 1933, arthritis of the right shoulder in 1949, and a henorrhoidectory in 1947.

At the present time, according to this examination, COSTELLO complains of chronic laryngitis occurring three or four times per year, since 1933. He complains of arthritis of the right shoulder occurring intermittently since 1949. He complains of upper abdominal pain for the past three years. He complained of 16 pounds loss of weight since August, 1952. He complains of a weakness of the legs, worse on exercise, for the past two months. He complains of shortness of breath on climbing stairs, present for the past two months and complains of mild chronic constipation since August, 1952. He also complains of inability to wear ordinary shoes on his right foot because of disability to right big toe following a fracture about 15 years ago.

The examination at the present time, reveals slightly defective hearing. His voice is somewhat husky and there is moderate relaxation of the right inguinal ring. He is 6' 7½" in height, weight 158½ pounds, medium build, general appearance considered good. His distant vision is 0.D. 20/50, with no

correction, O.S. 20/100 corrected to O.S. 20/50, with O:U. J. 11, corrected to O.U. J-3, near vision, hearing slightly impaired. Pulse 68, blood pressure 130/36, temperature 93 degrees.

Modical diagnosis:

Refractive error, partially corrected by glasses. Deafness is slight; chronic laryngitis; chronic arthritis, right shoulder; relaxed right inguinal ring.

Recommendations:

Treatment-routine out-patient department. regular duty with consideration for his vision.

United States Public Health Service Hospital, Staten Island, New York, in 1956.

The records of the Federal Detention Headquarters, New York City, as reviewed on January 28, 1958, contains the following Report of Medical History Examination of subject on May 14, 1956, at the United States Public Health Service Hespital:

Family history:

Spouce, age 57, good health.
Brother, age 76, poor health.
Sister, age 70, poor health.
Father died at age 75 of caronary.
Mother died at age 84 of cancer.

History:

This 65 year old white male complains principally of chest pain of three or four months duration. The chest pain is not brought on by exercise but is often precipitated by tension or excitement. It lasts about 30-60 minutes and is described as being "vise like". There is radiation of the pain to his left arm and forearm. He has obtained relief from nitroglycerin (Gr. 1/150) beneath his tongue. For the past 3-4 months, he has had episodes of nocturnal chest pain and dysprea. These symptoms are relieved when he sits up. He has also noted shortness of breath on exertion and swelling of the ankles. The latter is worse at the end of the day. He has

been treated with diamox and for the past several days, he has had little swelling. At times, he has palpitation which may come on with exertion or when he is at rest. He also has transient episodes of vertigo when everything seems to spin around and he must hold on to something for support. These episodes sometime accompany the tachycardia but at other times, he has vertigo without tachycardia.

About two years ago, he began to have abdominal pain. This pain was epigastric and disappeared without any medication. About one and a half years ago, he had recurrence of the pain which always seemed to come on about 4:30PM, and occasionally at night. He usually ate lunch about 12:30PM. A G.I. series was done and Dr. O'BRIEN told him that he had a peptic ulcer. Since treatment with phenobarbital, barthine and aluminum hydroxide, he has felt better.

In 1932, he began to have hoarseness. He went to Dr. QUICK and he took a biopsy of a laryngeal lesion and told CCSTELLO that he had a malignancy. COSTELLO was given X-Ray therapy. Since that time, he has been troubled with hearseness. Recently he coughed up a small amount of blood.

In the past 60 days, COSTELLO states that he has lost about fifteen pounds.

In 1947, he had an operation in a dector's effice on his anus. Be believes that a hemorrhoid was removed at that time. He has frequent attacks of frontal headache in the norming and need obstruction and discharge. His symptoms are better later in the day and after masal drops or spray is used.

In 1953, he had a left foot drop which cleared up, after about a north. The eteology of this foot drop was not determined. In 1949, he had pain in the right shoulder. The shoulder was treated with injections but the pain lasted about 2-3 norths. Since that time, there has been recurrence of the symptons for 2-3 days or on several occassions.

Other than the above illnesses, COSTELLO has always been very well. Up until four years ago, he played 36 holes of golf 3-4 times a week. His father died of arteriosclerosis and his nother of cancer. COSTELLO's grandparents were very old when they died.

Physical examination:

COSTELLO is a well-developed and nourished white male in no distress; weight 156½ pounds, blood pressure 120/80. He is hourse, the skin over the larynx is somewhat atrophic and in the midline over the thyroid cartilage are several small cyptic lesions. There is a flat, somewhat raised black nevus about 10x8 n.n. in the left temporal region. Tenderness is present in the right upper quadrant. A right injuinal hernia is present. The eyegrounds show narrowing tentucsity and "silverwiring" of the arterioles and a-v nicking is present. Nothing else of significance is found on physical examination.

Laboratory data:

Urinalysis- Specific Gravity 1.027; albumin -0; sugar-0; few ubc., few uric acid crystals; mazzini and VDRL-nonreactive; WBC-9350; neutrophils-62 per cent; lymphocytes-33 per cent; eosinophils-5 per cent; sedimentation rate, 13 m m/hour; henotocrit-49 per cent. Electrocardiagram showed an abnormal tracing with left axis deviation and non-specific ST and T wave changes. X-Ray of the sinuses reflected the maxillary and frontal, ethmoid and spheroid sinuses are well alrated and are considered normal.

G. I. series:

Swallowing action was normal. Barium cutlined an easily distensible esophagus. Fluorescepically, there was no reentgen evidence of a sliding type of hiatal hernia. In his stemach, the filled centeur, peristaltic activity, nucesal pattern of the stemach were considered normal. The pylorus opened readily and outlined a rather symmetrical bulb with slight deformity along the greater curvature aspect of the bulb. This presents a peak-like projection. It is felt that this probably is a scar with adhesions due to previous ulcer-like disease. At this examination, however, there was no bulb tenderness and unable to demonstrate an ulcer niche as such. The superior aspect of the duodenum is somewhat redundant presenting a slight anomaly. The sweep itself shows no evidence of encreachment. There is no suggestion that the duodenal nucesa is invaded by a pancreatic neeplasm. The small bowel pattern that is visualized is considered normal. A followep film was obtained and this shows the head of the barium column in the colon, actually barium

has moved throughout the colon and is present in the descending colon. There is no significant retention. He therefore, has a normal stomach

Gallbladdor series:

Following the cral ingestion of cholecystographic nedia, there is good opacification of the gallbladder shadow. This presents a phrygian type of gallbladder which is an anemaly and is not pathological. Multiply films of the gallbladder were made and these show no reentgen evidence of opaque or non-opaque calculi. Upright spot films were obtained with greater compression in various projections and those show no reentgen evidence of calculi. There is good contraction following a fatty neal and the portion of the common bile duct that is visualized is considered, of normal caliber. Therefore, he has a normal gallbladder.

Chest X-Ray:

The left costophronic angle is clearly visualized and is considered normal. The partian of the right costophronic angle that is visualized, is considered normal, although it is not completely observed. There is scalingsis of the dersal spine first with convexity to the left and at the lower-most portion to the right. The lung fields are clear. The trachea is slightly to the right but this is due to slight rotation. The cardiac silhouette is considered of normal size. No other striking abnormalities are noted.

Comparison chests:

"Our present film reveals no radiographic evidence of recent or active pulmonary disease. The cardiac silhquette is within upper limits of size. The acrta is not dilated."

"A review of film taken at Federal Detention Headquarters dated July 17, 1956, the film at that time showed increased preminence of some branchevascular markings extending from the lower part of the right hilum downwards and outwards towards the periphery. The heart size is basically the same. The findings at that time might have represented a beginning of resolving preumonitis, or less likely, an early pulmonary congestion. It is impossible to determine which from the evidence at hand".

"This 10x8 Mi. brownish, pigmented, raised, slightly papillated lesion present at the airline but within the hairy portion of left temperal region, is clinically characteristic of a benign venus, dermal or introdormal type. If reasonable care to avoid consistent trauma is maintained, there is no reason, other than possible cosmetic ones, for its excision and removal, and in view of its location within the hairy portion of the temporal scalp, removal would leave a scarred defect more conspicuous than the present lesion. I do not feel this represents a malignant lesion nor one that shows any high degree of predisposition toward malignant change. In my opinion, the present lesion presents no immediate or future threat to this individual's health".

Diagnosis:

- 1. Arteriosclerotic heart disease with mild anginal syndrone.
- 2. Chronic laryngitis with atrophy and paralysis of left vocal cord.
- 3. Hyperopia.
- 4. Presbyopia.
- 5. Rhinitis, chronic.
- 6. Benign nevus, temperal region.
- 7. Ducdenal ulcer (by history with no evidence of activity at time of this examination.)
- 8. Right inguinal hernia.

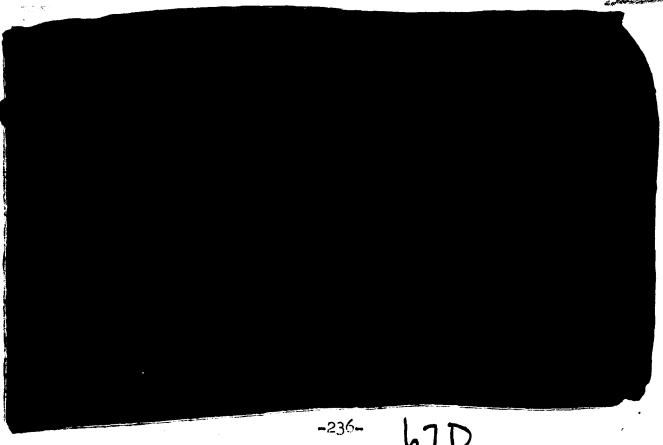
Subject's file at the Federal Detention Headquarters, contains a "meno" from the Medical Department of the Headquarters, dated March 13, 1957. This states that en admission to this institution on May 17, 1954, subject weighed 168 pounds, with a blood pressure of 140/90. He was released from this institution on June 19, 1954, and was readmitted on May 14, 1956, weight 173 pounds, blood pressure 124/86. August 2, 1956, blood pressure 140/88; August 27, 1956, 128/72, weight 1564; September 4, 1956, 120/70; November 30, 1956, weight 163; and on October 19, 1953,

HY 92-649

while at the Federal Correctional Institution, Milan, Michigan, subject's weight was 153 pounds.

During subjects stay in the Federal Detention Headquarter at New York City, he made many and varied complaints on the outpatient sick line with daily administration of medication. Subject was on added milk and egg diet due to gastric complaint; on diuretics PRN for ankle edoma; has been constantly on vitamin therapy, on making sick line, frequently weighed himself and made no complaint of loss of weight. In recent weeks, he has received daily treatment for chronic sinusites and chronic bronchitis, both of mild nature.

His overall physical condition was considered moderately good considering his age and other factors. Besides having recent treatment as outlined above, he has been diagnosed; as mentioned above and he has received treatment for all existing conditions.





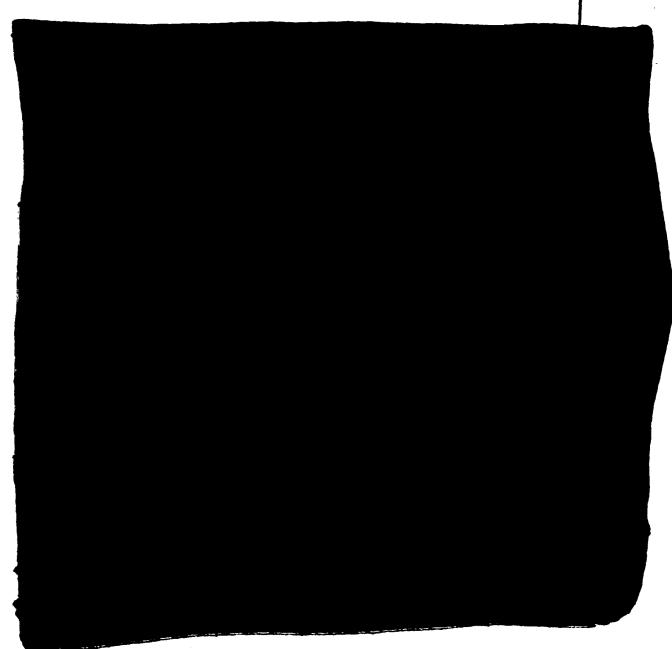


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Information pertained only	y to a third party. Your name is li	sted in the title only.
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For your information:		

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In an article appearing in the "New York Post" of February 7, 1958, it was stated that "Gambler FRANK COSTELLO was expected to leave Doctors Hospital today after a one-day check-up on what he described as 'some kind of a bug'. He was attended by his physician and nurses-and two policemen who have been keeping an eye on him ever since a gumman wounded him last May".

2. Religion

The subject's file maintained by the United States Probation and Parole Office, Southern District of New York, as reviewed on January 21, 1958, contains an admission summary prepared on September 18, 1952, at the United States Penitentiary, Lewisburg, Pennsylvania.

This summary reflects that subject by religion, is Catholic. At that time, he was a 59 year old married inmate who has received some religious training. His is a valid marriage, and his wife, a Catholic, is regular to her religious duties. The subject has attended Mass at times and states that he will do so while incarcerated this institution. It was recommended that the subject attend Mass.

The Cathelic Chaplain at the Federal Correctional Institution, Milan, Michigan, has advised that subject had attended church services since being incarcerated at the institution and his interest in religion appeared to be good.

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3. Handwriting Specimens of Subject

The following photographs of subject's handwritten signature "FRANK COSTELLO", were obtained by SA from the sources and dates indicated, and the photographs are being maintained by the New York Office in instant file:

Source of subject's signature Date of signature Date obtained

Fingerprint card of subject October 9, 1939 January 31, 1958 furnished New York Office by Bureau

Deposition of subject to set July 14, 1942 January 27, 1958 aside judgment, Supreme Court New York County, New York, file number 12315/1929

	Source of subject's signature	Date of signature	Date obtained
	Deposition of subject in his anended complaint, Supreme Court, New York County, New York, file number 13246/1944	July 10, 19+4	January 24, 1958
	Deposition of subject to vacate subpoena, Supreme Court, New York County, New York, file number 15414/1944	September 15, 1944	January 24, 1958
	Affidavit of subject in motion for surmary judgment, Supreme Court, New York County, New York, file number 13246/1944	October 10, 1944	January 24, 1958
	Deposition of subject in application to quash and to vacate a subpoena, Supremo Court, New York County, New York, file number 34081/1946	November 13, 1946	January 23, 1958
	Subject's request for authority for his attorney to visit him, Federal Detention Headquarters, 427 West Street, New York City, file number H 2884	February 20, 1957	January 28, 1958
	Same as above	March 4, 1957	Same as above
_	Sane as above	March 11, 1957	Same as above



4. Tax Liens Filed Against Subject

Federal Liens:

The records of the Registers Office, County of New York, Hall of Records, New York City, as reviewed on January 21, 1958, reflect the following information:

Lien number F 262, United States vs FRANK and LORETTA B. COSTELLO, 115 Central Park West, New York City, filed on January 18, 1956, by District Director of Internal Revenue, Upper Manhattan, pursuant to the provisions of Sections 6321, 6322, and 6323, of the Internal Revenue Code of 1954. Tax account number 6-516000/55, 1951 year of taxable period, assessed on June 8, 1955, in the amount of \$5969.70. Also account number AF-9-001/54, 1953, year of taxable period, assessed on November 15, 1954, in the amount of \$4231.65. Total amount of \$10,201.35.

Lien number F 857, was filed on February 17, 1956, against subject and wife, account number 10-518144/55, 1951 taxable period, assessed on Cetober 14, 1955, in the ancunt of \$16,836.73. Both of these liens are still cutstanding.

New York State Liens:

The records of the County Clerk, Mineola, New York, Nassau County, as reviewed on January 6, 1958, by SA reflect that the State Tax Commission, Albany, New York, had been awarded the following judgments against FRANK COSTELLO:

Date obtained	Date filed	Amount
December 16, 1955 Same Same March 21, 1955	February 27, 1956 Same Same	\$83,683.80 10,866.60 96,491.84 2,022.69

There is no indication that these judgments have been satisfied.

The files of the County Clerk, New York Supreme Court, New York County, New York, were reviewed on January 22, 1958. The Judgment Records reflect that the State Tax Coumission, Albany, New York, had obtained the following judgments against FRANK COSTELLO or FRANK and LORETTA COSTELLO, 115 Central Park

West, New York City, and that warrants had been issued:

Date of filing	Time of perfecting	Ancunt
December 19, 1955	December 16, 1955	\$10,806.60
Same	Sane	83,683.80
Sane	Sane	96,491.84
December 28, 1956	December 26, 1956	2,017.89
March 23, 1955	March 21, 1955	2,022.69
January 17, 1958	January 16, 1958	3,210,76

Supreme Court, New York City, advised on January 22, 1958, that the above judgments are still outstanding against subject and wife. According to no court action is necessary in order for the State Tax Commission to obtain a judgment in tax matters, and no court action was had in these instances. He stated that these liens filed are good for twenty years, they are still cutstanding and have not been paid.

The records of the County Clerks Office, New York Supreme Court. New York City, as checked on January 22, 1958, by for the Years 1910 to 1940, and 1941 to 1947, respectively, failed to disclose any record in instant matter.

The records of the New York County Clerks Office, Hall of Records; 31 Chambers Street, New York City, as reviewed on January 27, 1958, contain file number 12315-1929. This was an action in New York County Supreme Court, Rothmere Mortgage Corporation-plaintiff, against FRANK COSTELLO, defendant.

The plaintiff alleged that on September 4, 1928, the defendent made and delivered to the plaintiff, his promissory note



dated September 4, 1928, in the amount of \$25,000 payable to the order of Rothmere Mortgage Corporation, 45 West 57th Street, five months from date.

The plaintiff alleged that no part of said note had been paid and the note was due in the amount of \$25,000 with interest from the fourth day of February, 1929. The plaintiff also alleged that defendant was duly served in this action on February 14, 1929 and defendant had not appeared or answered and the time to answer had expired.

On April 5, 1929, the Rothnere Mortgage Corporation was granted a judgment against subject in the amount of \$25,272.60.

On June 30, 1942, subject was served with an order requesting him to present himself for examination in supplementary proceedings on July 8, 1942. In a deposition dated July 14, 1942, subject through his attorney JAMES J. GERAGHTY, 70 Pine Street, New York City, requested than an order be entered vacating and setting aside the judgment upon the ground that a copy of the summons and complaint were never validly served upon him.

he subject in a deposition, stated the judgment was entered on default based upon his failure to interpose an appearance or answer. He stated that he was never served with a copy of the summons and complaint in this action and that he had no knowledge of the existence of said action or of the entry of the judgment until he was served with an order in supplementary proceedings, thirteen years after the entry of judgment. He stated that on February 14, 1929, he was not present in New York City, but was in Chicago, Illinois.

Subject stated that the plaintiff was a personal company of the late ARNOLD ROTHSTEIN. "Mr. ROTHSTEIN and myself were personal friends for upwards of twenty-five years. On many occasions, Mr. ROTHSTEIN would borrow large sums of money from ne. On other occasions, when I had no available cash to lean Mr. ROTHSTEIN he would ask for and I would give him on the plaintiff corporation, my note which Mr. ROTHSTEIN would discount at a bank or other lending institution and secure the cash he desired. The note sued upon herein was of the latter category and was executed to Mr. ROTHSTEIN's Corporation, the plaintiff, herein, solely for the accommodation of said corporation and said ARNOLD ROTHSTEIN".

By agreement of both parties, this matter was placed on the court calendar for October 30, 1942, before Honorable TIMOTHY A. LEARY, Official Referee. The matter was adjourned from time to time and was restored to the calender for October 7, 1943.

In a report dated October 7, 1943, submitted by the Honorable TIMOTHY A. LEARY, it was reflected that on October 7, 19+3, he was in receipt of a letter from the attorneys for the plaintiff wherein they stated that the matter had been settled and disposed of and asked that the application be marked accordingly

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Registration for military service

The records of a Federal Agency maintaining personnel records, were made available to SA on January 23, 1958. These records contain only a card which reflects that FRANK COSTELLO, 115 Central Park West, New York City, registered under the Selective Service Act of 1940, at Local Board 24, New York City, on April 27, 1942. He indicated at that time, that he was born on January 26, 1893, at calabria, Italy, his employment was listed as "retired", and Mrs. LORETTA COSTELLO, of the same address, was listed as the person who would always know his address. He was described as male, white, height 5' 8", weight 170 pounds, black hair, grey eyes, and light complexion. weight 170 pounds, black hair, grey eyes, and light complexion.



J. Description

The following is a description of subject as obtained from a recent personal observation of subject and as a result of investigation conducted:

> Name Aliases

FRANK COSTELLO Francisco Castaglia Frank Castello Francesco Castiglio Francisco Cataglia Francesco Costaglia Murray H. Hoffman Frank Sampson Francesco Saverio Frank Saverio Frank Stello

Race Birth White January 26, 1891, Cosenza, Italy January 26, 1891, Calabria, Italy January 26, 1896, Reggio, Calabria, Italy

Heighth Weight Hair

1893, Calabria, Italy
January 26, 1893, Calabria, Italy
January 23, 1893, La Ropalla,
Calabria, Italy (not verified)
51 72" - 51 8"
165 to 170 pounds
Dark absence growing recording

forehead and along sides-combs

Eyes Complexion Scars and narks Dark chestnut, graying, receeding

Dark Two moles right chin Scar right temple

hair straight back

Build. Characteristics

Heavy Has large nose Nently dressed

Breum

May wear glasses, however, not observed wearing glasses

Possibly slightly hard of hearing Suffers from chronic laryngitis Disability to right big toe right foot, may wear special shoes

Wears a hat Raspy voice Address

115 Central Park West, New York City, Apartment 18F Subject has summer residence at 5 Barkers Point Road, Sands Point, Long Island, New York, a twelve roon brick and clapboard house

Former addresses

2+ West 117th Street, New York City, September 23, 1944 222 East 108th Street, New York City, March 12, 1915 234 East 108th Street, New York City, March 26, 1923 405 Lexington Avenue, New York City, 1925 Graystone Hotel, New York City, January, 1927 585 West End Avenue, New York City, 1927 to 1930 65 Central Park West, New York City, 1930 to 1937 241 Central Park West, New York City, 1931 to 1937 TR-4-2325 Subject has no known place of regular employment. Subject has stated he was a retired real estate man and on other times, has stated he was "retired". Hene known Catholic

Telephone number Occupation

Social Security No. Religion Principal attorney

New York City Police Department number FBI number Relatives

936217
LUIGI CASTIGLIA, father, died in 1922
MARY SAVERIO CASTIGLIA, mother, died in 1940
LURETTA B. COSTELLO, wife, same address as subject
EDWARD COSTELLO, brother, age approximately 72, 21-40 21st
Street, Asteria, New York
MAY COSTELLO MARCELINA (GILBIRDIE) sister, age approximately 64, address not known, New Orleans, Louisiana

GECRGE WOLF, 509 Madison Avenue,

New York City

B-38412

Relatives (contd.)

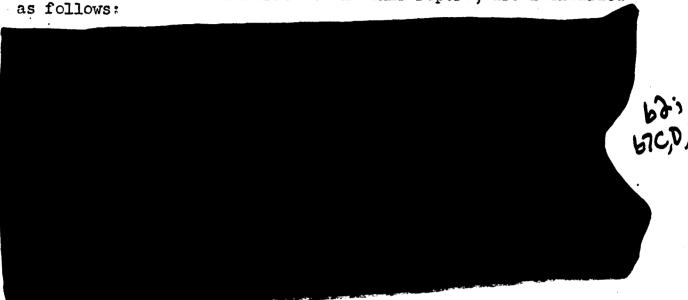
SADIE COSTELLO, sister, died in 1936 CONCETTA COSTELLO, sister, died in 1944 ANN GEIGERHAN, widow of JEROME GEIGERMAN, possibly sister-in-law, 1837 Humanity Street, New Orleans, Louisiana DUDIEY GEIGERMAN, brother-in-law, agent for United Insurance Company of America, 334 Camp Street, resides 2637 Dreux Street, New Orleans, Louisiana HAROLD L. GEIGERMAN, brother-in-law resides 4731 Lafaye Street, is proprietor of Canal Cafe, 1409 Canal Street, New Orleans, Louisiana THE OD ORE R. GEIGERMAN, brother-inlaw, resides 5146 Lafayo Street, New Orleans, Louisiana, his occupation listed as "novelties" WILLIAM B. (BONNIE) GEIGERMAN, brother-in-law, operates the Strait Restaurant and Bar, and premetes beking matches in the City of New Orleans, Louisiana

· A photograph of subject, front and side view, taken on May 14, 1956, at the Federal Detention Headquarters, New York City, number H 2884, obtained from the Federal Detention Headquarters, 427 West Street, on January 28, 1958, is being maintained by the New York Office in instant file.

It is noted that this photograph of subject as compared to a personal observation of subject, is a good likeness of subject.

Enclosure to Bureau: One (1) disposition sheet reflecting disposition of arrest for subject.

Informants referred to in this report, are identified as follows:



T-7, Intelligence Unit, US Internal Revenue Service, 90 Church St., MYC, centacted by SA's JOSEPH D. MILENKY and JOHN F. LEIGH, JR., on 1/7/58. The first information attributed to this informant, furnished by Agent ROBETT KENNY. The next information attributed to this informant, furnished by Supervising Agent WILFRED LEATH, the only person remaining in NYO who worked on the COSTELLO income tax case. Subject's file was not made available for review.



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ADMINISTRATIVE

Due to the bulkiness of this report, only one copy has been designated for most offices rather than the two copies usually designated.

The following additional file concerning the subject, in the New York Office, is noted:

New York 46-2863, entitled "FRANK COSTELLO,

AMERICAN AVIATION RESEARCH CORPORATION-FAG-ERIBERY".

This investigation was conducted during the latter part of 1953, and the early part of 1954,

which information consisted largely of information obtained from various newspaper and magazine articles. This information in substance, alleged association of FRANK COSTELLO and gangster infiltration into the aircraft industry. However, none of which was substantiated by investigation either during this investigation or during the investigation which was conducted in 1947, entitled, "FRANK COSTELLO, AURODYNAMICS RESEARCH CORPORATION, ETAL, FAG". The United States Attorney's office requested no further investigation in this matter.

For the information of the offices which have not previously received a copy of a report in instant matter, the following is noted concerning subject:

Subject naturalized as US Citizen 9/10/25, NYC.

De-naturalization proceedings instituted in 1952 and still pending.

Reported to have had interest in Copacabana Nightclub, NYC,

Beverly Club, New Orleans, La., and various other enterprises.

He has admitted formerly being in real estate business, however,

he has no known regular place of employment. He has admitted he

was a bootlegger prior to 1926 or 1927; he operated slot machines

in NYC, from 1928, to 1933; became a betting commissioner in NYC,

as he termed it; and he received \$60,000 from 1946 to 1949, for

assisting in getting bookmakers out of Roosevelt Raceway, Westbury,

NY. Subject has admitted he helped to secure Democratic nomination

as Justice of NY Supreme Court in 1943, for THOMAS A. AURELIO; and

at one time, had various friends who were in politics.

12/16/57, subject's notion to set aside his 1954 conviction for

.

NY 92-649

evasion of income taxes, was denied and subject was ordered to surrender 12/19/57, to complete sentence. The attempt of subject life was made on 5/2/57.

Inasmuch as subject is under a 24-hour surveillance by the NYCPD, which amounts to a bodyguard of subject, the NYO is not currently conducting a physical surveillance of subject. however, spot checks were made.

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A copy of this report has been disignated for each of the Cleveland and Detroit Offices for informational purposes, inastruch as these offices are currently conducting investigation in instant matter.

<u>LEADS</u>

ALL OFFICES

IT IS REQUESTED THAT ALL OFFICES, Laving a substantial amount of information to report as a result of investigation conducted, submit same in report form.

ATLANTA

At Atlanta, Georgia

*Will report results of record check for subject at US Penitentiary, as set out in Fl mirtel, 12/3/57, and referenced NY report.

BALT IMORE

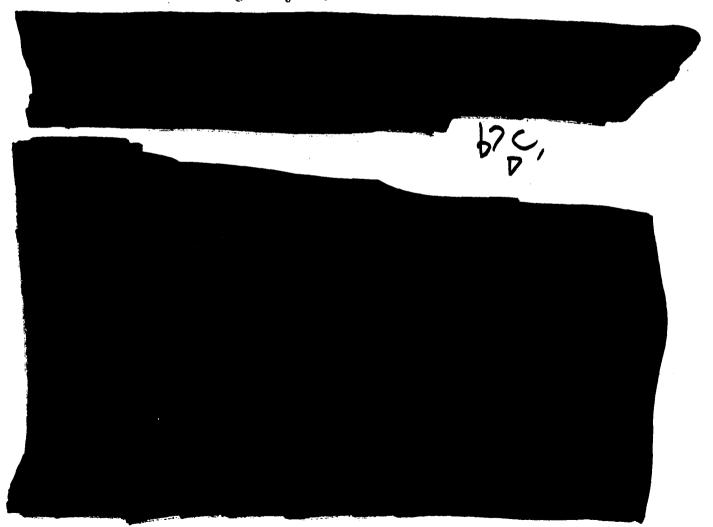
67D

At Brentwood, Maryland

Will report any information concerning any activity

of subject in Maryland, especially, information set out relating that members of COSTELLO's meb had moved into Prince George County, particularly Brentwood, Maryland, in 1949.

Will report any additional information available in your office concerning subject.



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CLEVELAND

At Cleveland, Ohio

Will report results of investigation as set out in referenced Los Angeles report.

DALLAS

At Abilene, Texas

Will conduct appropriate inquiry at US District Clerk's Office for any record or information concerning subject, with the thought in mind that subject possibly owns, owned, or had an interest in this County or District, of some property.

It is noted there appears to have been liens served by the Internal Revenue Service, NY District, NYC, at this office.

At Decatur, Texas

Same lead as set cut for Abilene, Texas, however, conducting inquiry at County Clerk's Mfice, Wise County.

At Jacksboro, Texas

Same lead as set out for Milene, Texas, however, conducting inquiry at County Clerk's Office, Jack County.

At Fort Worth, Texas

Same lead as set out for Abilene, Texas.

At Dallas, Texas

Will report any information in office indices relating to subject.

ADMINISTRATIVE PAGE (Contd.)

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DETROIT

At Dearborn, Michigan

Will report results of investigation as set out in referenced Los Angeles report.

HOUST ON

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Same leads as set out for Dallas Office at Dallas, Texa:

KANSAS CITY

At Kansas City, Kansas

Will report any information in your files concerning subject as well as any information reflecting interest of subject in Kansas.

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will report any additional information concerning subject's activity not previously reported.

Will review records at following places for any information relating to subject, inasmuch as it appears that the NY Division of the US Internal Revenue Service may have placed, liens against subject at these places:

County Clerk, Rice County, Kansas.

County Clerk, Barton County, Kansas.

US District Court, Kansas City, Kansas.

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LOS ANGELES

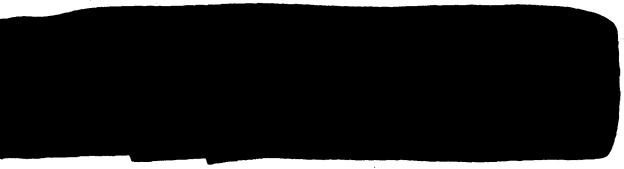
At Los Angeles, Colifornia

Will report results of investigation currently being conducted by your office and as set out in San Diego letter to NY, 2/5/58, copy your office.

MIAMI

At Fort Lauderdale, Florida

Will report results of investigation as set out in Albany airtel to Bureau, 1/31/58, copy to Miani and NY.



At Hollywood, Florida

Will report results of investigation as set out in Miami airtel to NY, 1/28/58.

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MC,

It is noted, as set out in this report, that the US Internal Revenue Service, NY District, had possibly placed a lien against a safe deposit box of subject at this bank. It is further noted as set cut in referenced report on page 41, that through court order, the Internal Revenue Service entered this safe deposit box on 7/3/56.

At Miani, Florida

Will report results of investigation currently being conducted in your office and within your division.

referenced Les Angeles report:

Newark

47C,D

At Newark, New Jersey

Will report results of investigation currently being conducted by your office as set out in referenced NY report.

670

ADDRAG TRAVETTE PART CONTACT

266-

Will conduct appropriate inquiry at the following places for any intermation relating to subject, noting that the MS Internal Nevanue Service, MY District, has possibly placed liens against subject at these places:

County Clerke Office, Novark, NJ;

US District Court, Newark, Ni.

Will check office indices and ascertain reputation of following individuals:

NEW ORLEANS

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Added to lean rules and

Will report restits of investigation currently being conducted by your office and as pot out in referenced NY report.

A Committee of the Comm

The same of the rest time than the

Will, as pointed out in Dureau letter to MY, 2/4/58, develope full background information on relatives of subject in order to determine if any of them or their respective spouses, are currently associated with subject in his enterprises.

It is noted that relatives of subject residing in New Orleans, are set out in this report amier "Relatives".

OKLAHOMA CITY

At Calabora of the Make

MY 92-649

PHILADELPHIA

At Philadelphia, Pennsylvania

BACED

Will report results of investigation as set out in referenced NY report.

PITTSBURG

At Pittsburg, Pennsylvania

BATT TARK THE

POWLUL DE

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NY 92-649

67C,D

Will report results of investigation as set out in referenced Los Angeles report, copy your office.

At Carson City, Nevada

Will attempt to review files of Nevada State Tax

Commission pertaining to possible appearance of
before this Cermission
in an inquiry relating to ownership of Tropicana Hotel, as set
out in Bureau letter to NY, 2/4/58, copy your office.

WASHINGTON FIELD OFFICE

At Washington, D. C.

Will review testimony of subject and others mentioning subject, before the US Senate Crime Investigating Cormittee in 1951, as set out in Bureau letter to NY, 2/4/58, copy your office.

Will report any information in office files relating to subject, and relating the subject to

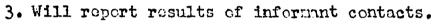
It is noted as set out in referenced NY report, a copy of which was not designated for your office, that the "New York Daily Mirror" 9/15/52, in an article by DREW PEARSON, indicated that FRANK COSTELLO had not been deported because he has friends in high places. The article stated that COSTELLO'S

friends in Congress have been revealed through a little black book carried by COSTELLO's Washington Lobbyist, MURRY OFF, who was actively working to defer the slot machine bill and was fighting all legislation which would happer gambling.

NEW YORK

At New York, New York

1. Will report results of requested check for Legat at Rome, Italy, to verify subject's birth.



的口,

- 4. Will obtain current photograph of subject's residence at 5 Barkers Point Rd., Sands Point, MY.
- 5. Will conduct suitable pretext investigation at 21-40 21st St., Astoria, NY, in an effort to ascertain additional information concerning subject's brother EDWARD COSTELLO.
- 6. Will conduct spot checks of subject in an effort to observe him.

1470

8. Will attempt to secure information concerning the subject at Board of Elections, NYC.

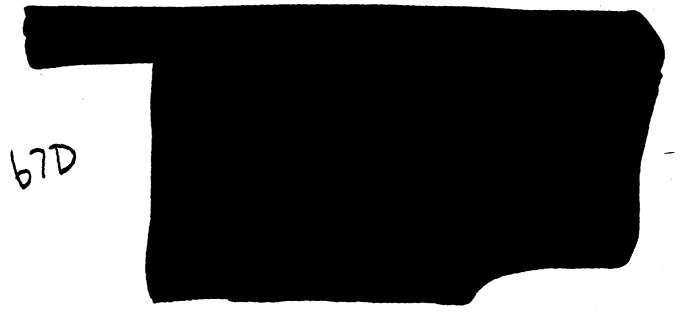
67C

11. Will contact Federal Bureau of Narcotics, 90 Church St., NYC, for any information relating to subject. It is noted inquiry previously made resulted in information that subject's file had been forwarded to Washington, D.C. Headquarters, however, WFO has advised subject's file has since been returned to NY.

12. Will review subject's file at Federal Detention Headquarters, NYC, in an effort to obtain handwriting specimens of subject.



15. Will contact HIS, 70 Columbus Ave., as to current status of Government's case in effort to denaturalize subject.



17. Will check records of MY Supreme Court for records of hearing before the Honorable CHARLES D. SEARS, Official Referee, Appellate Division, First Department, in the matter of AURELIO.

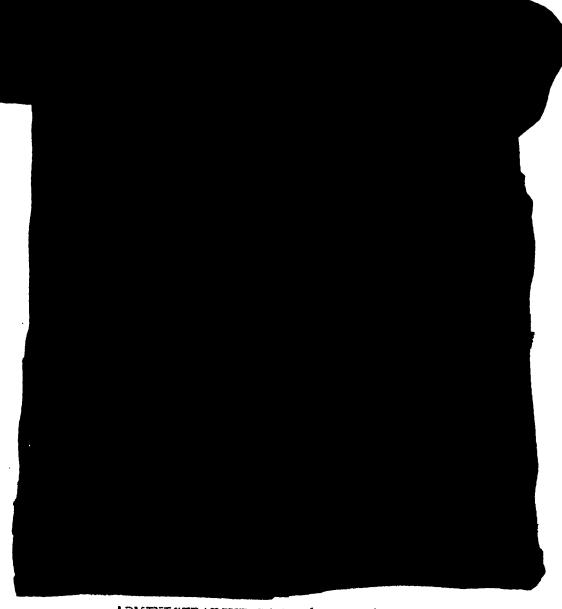
18. Will check records of NY Supreme Court for any additional information not reported in this report, concerning subject's contempt charge in 1957.

19. Will make appropriate inquiry as to whether there exists a central repesitory of "changes of rame" in an effort to locate a record of subject having possibly changed his name from reported true name to FRAMK COSTELLO.

W

NY 92-649

21. Will secure from the Bureau, an identification record for





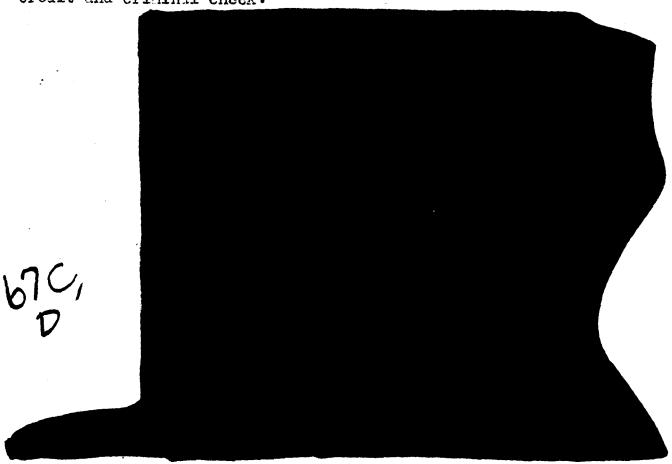
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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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	(b)(3)	(b)(7)(C)	☐ (k)(1)		
	<u> </u>	(b)(7)(D)	☐ (k)(2)		
		(b)(7)(E)	☐ (k)(3)		
		(b)(7)(F)	☐ (k)(4)		
	(b)(4)	(b)(8)	☐ (k)(5)		
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7	92.2869-18 page 274				

XXXXXX XXXXXX

32. Will check office indices of individuals/previously checked, of individuals listed below, and report results of credit and criminal check:



33. Will during the course of the investigation, attempt to obtain additional information as to the alleged "criminal combination", and any information which night connect subject with this combination.

REFERENCES

Philadelphis letter to NY, 12/12/57. NY airtel to Bureau, 12/20/57. Boston airtel to NY, 12/20/57. Salt Lake City letter to NY, 12/21/57. Albany airtel to NY, 12/23/57. San Diego airtel to NY, 12/23/57. Little Rock airtel to NY, 12/23/57. NY airtel to Bureau, 12/23/57. New Orleans airtel to NY. 12/24/57. 12/26/57, NY. Report of SA New Orleans airtel to NY, 12/26/57. New Orleans airtel to NY, 12/27/57. NY airtel to WFO, 12/31/57. Houston letter to NY, 12/31/57. WFO airtel to MY, 1/3/58. NY airtel to Bureau, 1/6/58. Chicago airtel to Salt Lake City, 1/7/58, copy NY. NY airtel to Bureau, 1/7/58, copy WFO. San Francisco airtel to NY, 1/9/58. NY mirtel to Bureau, 1/10/58. NY letter to Bureau, 1/14/58. Omaha letter to NY, 1/14/58. New Orleans airtel to Marphis, 1/17/58, copy NY. San Francisco airtel to NY, 1/17/58. 1/18/58, with enclosed 1/18/58, Milwaukee. Milwaukee letter to Bureau. report of SAV Salt Lake City airtel to IN. 1/21/58. Memphis airtel to NY, 1/23/53. Miami airtel to NY, 1/20/58. Little Rock airtel to NY, 1/28/58.
Albany airtel to Bureau, 1/31/58, copy NY.
Newark letter to NY, 1/31/58.
NY teletype to Bureau, 2/4/58.
Bureau letter to NY, 2/4/58.
San Diego letter to NY, 2/5/58, copy Los Angeles.
NY sintel to Proper 2/7/58 NY airtel to Bureau, 2/7/58. Chicago report of SA 2/10/58, Chicago. Los Angeles letter to Bureau, 2/10/58, with enclosed report of SA 2/10/58, Los Angele: MFO mirtel to MY, 2/11/58.